

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 258 OF 2023

Rahul Balasaheb Falke

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

Mr. Sandeep B. Satkar for the Applicant.

Mr. P. H. Gaikwad, APP for the Respondent-State.

V. M. Jadhav, Mahalunge MIDC Police Station present.

CORAM : N.R. BORKAR, J.

DATE : 6TH APRIL, 2023

P.C.:

1. This is an Application filed u/s 438 of the Code of Criminal Procedure, 1973 for Anticipatory Bail.
2. The Applicant is apprehending his arrest in Crime No. 1573 of 2022 registered at Chakan Police Station, Khed Pune for the offence punishable u/s. 4 r/w. 25 for Arms Act and u/s. 327, 384, 385, 506 r/w. 34 of IPC.
3. I have heard learned counsel for the Applicant and learned APP for the Respondent-State.
4. According to the prosecution, on the date of incident which took place on 04/10/2022 at about 4.00 AM the present Applicant and other co-accused accosted the complainant, while

he was returning home and demanded hafta of Rs.15,000/- per month and threatened him, that or else they would not allow him to run his business of rickshaw. It is alleged that at the time of incident one of the accused was armed with Koyta. It is further alleged that they assaulted him by fist blows and robbed him of Rs.2,000/-

5. I have perused the statement of Raju Subhash Mule recorded u/s. 164 of Cr.PC who according to the prosecution was with the complainant at the time of alleged incident. There are no allegations of extortion in his statement.

6. Learned APP submits that Applicant is involved in four more crimes. However, considering the facts and circumstances, I am inclined to release the Applicant on Anticipatory Bail.

:: ORDER ::

- (i) Application is allowed.
- (ii) In the event of arrest of the Applicant in Crime No. 1573 of 2022 registered at Chakan Police Station, Khed Pune for the offence punishable u/s. 4 r/w. 25 for Arms Act and u/s. 327, 384, 385, 506 r/w. 34 of IPC, the Applicant be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The Applicant shall attend the concerned Police Station as and when called by the Investigating Officer for the purpose of investigation till the filing of the charge-sheet. The Applicant thereafter shall attend the concerned police station once in a month i.e. on 1st Saturday between 11.00 AM to 2.00 PM till the conclusion of the Trial.

(N. R. BORKAR, J.)