

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 294 OF 2023**

Shreejit Rameshan

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Zaid Qureshi for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. Ajay Jogdand, Sr. PI, Anti Extortion Cell (Crime Branch), Present.

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CORAM : N.R. BORKAR, J.

DATED : 17 FEBRUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 727 of 2022 registered at Dehu Road Police Station, Pimpri-Chinchwad for the offences punishable under Sections 383, 384, 385, 387, 120-B r/w 34 of the Indian Penal Code.

3. The complainant, who is running a hotel alleges extortion. According to the complainant, on 28 November 2022 at about 2.30 p.m., about 4 to 5 unknown persons came to his hotel and at that time they were carrying liquor bottles. They then started consuming the liquor, though his hotel staff objected to it. It is alleged that then they took photographs of liquor bottles by keeping them on one of the tables in the hotel.

4. It is alleged that on the next day one unknown person came to his hotel and he told the complainant, that if he wants to run the hotel smoothly then he will have to pay Rs. 3000/- per month to the applicant. According to the complainant, when he refused to pay the amount of extortion, the said unknown person told him that if the said amount is not paid then the photographs, which they had taken while consuming liquor in his hotel would be made viral. According to the complainant, on 30 November 2022, he came across news posted by the applicant on social media about illegal sale and consumption of liquor in his hotel and the photographs which were taken by the said unknown persons while consuming liquor in his hotel were also uploaded below the said news.

5. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

6. The learned counsel for the applicant submits that the applicant is a RTI Activist and Social Worker. It is submitted that false allegations are made against the applicant as he had made the complaint to the Commissioner of Police against the complainant in relation to illegal sale and consumption of liquor in the hotel of the complainant so also against concerned police officer, who was not taking action.

7. On the other hand, the learned APP submits that considering the nature of offence, the applicant may not be released on anticipatory bail.

8. No report was lodged in relation to the incident dated 28 November 2022 or the incident which took place on 29 November 2022. The report came to be lodged only after the photographs were made viral.

9. I have perused the documents, which the applicant has placed on record in support of his submission. Prima facie, there appears to be substance in the submission of the learned counsel for the applicant. I am, therefore, inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 727 of 2022 registered at Dehu Road Police Station, Pimpri-Chinchwad for the offences punishable under Sections 383, 384, 385, 387, 120-B r/w 34 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)