

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.948 OF 2023

Avinash @ Pappu Machindra Ukirde	...Applicant
vs.	
The State of Maharashtra	...Respondent

Mr. Pranav Bhoite, for the Applicant
Mr. Shrikant Yadav, APP, for the Respondent/State.
Mr. Abhijeet Pawar, PSI, Shirur police station present.

CORAM : N. J. JAMADAR, J.

DATE : OCTOBER 09, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No.92 of 2023 registered at Shirur police station for the offences punishable under sections 120-B, 385, 386, 387, 294, 504, 506 read with 34 of Indian penal Code, 1860.
3. The first informant lodged report with the allegations that on 5th February, 2023 Shamshuddin Virani, the accused No. 1, extorted a sum of Rs. 40 lakhs by dishonestly retaining the said amount, Shamshuddin Virani and the co-accused Sunny Yadav threatened the first informant with dire consequences if 50% partnership in the Fisheries contract, awarded to the first informant, was not given to them and thereby extorted an amount

of Rs. 3 lakhs.

4. Prima facie, the role attributed to the applicant appears to be that of being a confederate in the conspiracy to extort the amount from the first informant. The allegations in the first information report do not indicate that the applicant had either made any call to the first informant on 5th February, 2023 or took any part in the incident which occurred on that day. The allegations are primarily against Shamshuddin Virani and Sunny Yadav.

5. By an order dated 31st March, 2023 this Court was persuaded to grant interim protection. At this length of time, there does not seem any necessity of custodial interrogation of the applicant. I am, therefore, inclined to exercise the discretion in favour of the applicant.

6. In the event of arrest in C.R. No. 92 of 2023 registered with Shirur police station, the applicant Avinash @ Pappu Machindra Ukirde be released on bail on furnishing a P.R. bond in the sum of Rs. 30,000/- with one or two sureties in the like amount.

7. The applicant shall cooperate with the investigation and attend Shirur police station, on 16th, 17th and 18th October, 2023 in between 10 am to 12 and thereafter as and when directed.

8. The applicant shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the

prosecution witnesses or any person acquainted with the facts of the case.

9. The applicant shall regularly attend the proceedings before the jurisdictional Court.

10. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Application disposed.

(N. J. JAMADAR, J.)