

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2298 OF 2022

Aniket S. Bawaskar ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. K.P. Anil Kumar, Ms Priyanka Kumar and Ms Roshni V. and
Mr.Chinmay Apte i/by Mr. Amit Saple for the Applicant.
Mr. Amit Palkar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 07.02.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.127 of 2021 registered at Sinhgad Road Police Station, Pune city for the offences punishable under Sections 384, 386 and 388 read with 34 of the Indian Penal Code, Section 3(1)(ii) and 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (MCOC Act), Section 4 r/w. 25 of the Indian Arms Act and Section 37(1) read with 135 of Maharashtra Police Act.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.
4. According to the prosecution, the applicant is a member of organized crime syndicate formed by co-accused Roshan

Lokhande. The allegations against the present applicant and other co-accused are of extortion.

5. The complainant in the present crime is Vikram @ Dashrath Babanrao Manhere. This complainant is the co-accused along with present applicant in Crime No. 95 of 2021 registered by the very same police station. There is one more crime, wherein the applicant is accused i.e. crime No.114 of 2021 and the complainant in the said crime is Sunil V. Walekar, who is also co-accused with the applicant in Crime No. 95 of 2021.

6. The competent authority has relied upon the Crime Nos.95 of 2021 and 114 of 2021 to grant approval to invoke the offences punishable under MCOC Act meaning thereby the complainant in the present crime as well as the complainant in Crime No.114 of 2021 are members of the alleged organized crime syndicate, so also they are it's victims.

7. Considering the overall facts and circumstances and as the applicant is in jail for more than two years, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 127 of 2021 registered at Sinhgad Road Police Station, Pune city for the offences punishable under Sections 384, 386 and

388 read with 34 of the Indian Penal Code, Section 3(1)(ii) and 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (MCOC Act), Section 4 r/w. 25 of the Indian Arms Act and Section 37(1) read with 135 of Maharashtra Police Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]