

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2331 OF 2022

Sahil Ashok Rajput ... Applicant

Versus

State of Maharashtra ... Respondent

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Mr.Nitin B. Kamble for the Applicant.
Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 17 MARCH 2023

P.C. :-

1. This is an Application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The Applicant came to be arrested in Crime No. 6 of 2021 registered with Chatushrungi Police Station, Pune City for the offences punishable under Sections 395, 384, 427, 506(2) of the Indian Penal Code, 1860, Section 37(1) r/w 135 of the Bombay Police Act, 1951, Section 4 r/w 25 of the Arms Act, 1959 and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999.

3. I have heard the learned counsel for the Applicant and the learned APP for the Respondent – State.

4. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the Applicant has placed on record a copy of order dated 16th November, 2022 passed by the Additional Sessions Judge, Pune below Exh. 58 in Spl. MCOCA Case No.519 of 2021. By the said order, the Additional Sessions Judge has released co-accused Jitendra Sanjay Jangam @ Gohire on bail.

5. I have perused the charge-sheet. According to the prosecution, the present applicant is a member of organized crime syndicate formed by co-accused Jayesh Lokhande. It is alleged that the present applicant and other co-accused were asking the complainant to pay them hafta (extortion money) or else they would not allow him to run his travel business. It is alleged that as the complainant was not paying hafta to them and thus on the date of incident, which took place on 4 January 2021, the present applicant and other co-accused had robbed the complainant of Rs. 5000/- and caused damage to his vehicles.

6. The role attributed to the co-accused Jitendra Sanjay Jangam @ Gohire and the present applicant appears to be identical.

7. The learned APP submits that the applicant is involved in five criminal cases. However, it appears that the co-accused Jintendra Sanjay Jangam @ Gohire is involved in eight criminal cases.

8. Considering the overall facts and circumstances, I am inclined to release the Applicant on bail. In the result, following order is passed:

ORDER

- i) Application is allowed.
- ii) The Applicant be released on bail in Crime No. 6 of 2021 registered with Chatushrungi Police Station, Pune City for the offences punishable under Sections 395, 384, 427, 506(2) of the Indian Penal Code, 1860, Section 37(1) r/w 135 of the Bombay Police Act, 1951, Section 4 r/w 25 of the Arms Act, 1959 and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 on executing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- iii) The Applicant shall attend the concerned Police Station once in a month i.e. on the first Saturday between 11:00 am and 2:00 pm till the conclusion of trial.

(N.R. BORKAR, J.)