

AGK

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

ANTICIPATORY BAIL APPLICATION NO.1847 OF 2023

Digitally
signed by
ATUL
GANESH
KULKARNI
Date:
2023.07.04
18:47:51
+0530

Akshay Arun Kashid

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Aniket U. Nikam with Mr. Aashish Satpute i/by Mr.
Amit Icham for the applicant.

Mr. Amit A. Palkar for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : JULY 4, 2023

PC.:

1. Apprehending arrest in connection with C.R. No.139 of 2023 dated 11 February 2023 registered with Wakad Police Station, District Pune for allegedly having committed the offences punishable under Sections 385, 386, 506 read with Section 34 of the Indian Penal Code, 1860, the applicant is seeking relief of pre-arrest bail under Section 438 of the Criminal Procedure Code, 1973.

2. According to prosecution, a report was lodged against the applicant and co-accused Pravin Dilip Yadav for demanding a ransom of Rs.10,000/- for allowing the informant to work as mathadi worker. The informant on 16 December 2022 paid an amount of Rs.5,000/- and thereafter on 16 January 2023 paid

Rs.5,000/- by electronic transfer. Since the applicant enhanced the demand for protection, the informant lodged report against the applicant.

3. Learned advocate for the applicant invited my attention to the cross-report filed by the brother of the applicant alleging criminal allegations against the informant. The Sessions Court protected the informant by granting anticipatory bail.

4. The informant has filed an affidavit in the anticipatory bail application filed by co-accused stating that amount of Rs.10,000/- paid to the co-accused was in relation to money transaction between them and he has resolved the disputes with the accused.

5. Considering cross-report filed by the parties and the affidavit of the informant filed in the anticipatory bail application of co-accused, the applicant has made out a case for grant of relief under Section 438 of the Criminal Procedure Code, 1973. Hence, following order:

a) In the event of arrest of the applicant in connection with with C.R. No.139 of 2023 dated 11 February 2023 registered with Wakad Police Station, District Pune for allegedly having committed the offences punishable under Sections 385, 386, 506 read with Section 34 of the Indian Penal Code, 1860, he be released on bail on furnishing P.R. Bond in the amount of Rs.25,000/- with one or two sureties in the like amount;

b) The applicant shall remain present before the investigating officer on 10, 12 and 14 July 2023 between 11.00 a.m. to 2.00 p.m. and thereafter as and when called by the concerned

investigating officer;

c) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

e) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

6. The anticipatory bail application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)