

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3098 OF 2022**

1. Akshay Tukaram Patil

2. Mithun Tukaram Patil

...Applicants

Versus

The State of Maharashtra

...Respondent

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Mr. Kuldeep Patil a/w Mr. Nikhil Hire a/w Ms Neha Maru a/w Mr. Soham Pawar for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 27 FEBRUARY 2023

P.C. :-

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

2. The applicants came to be arrested in Crime No. 58 of 2020 registered at Mangaon Police Station, Raigad for the offences punishable under Sections 364A, 394, 385, 504 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

4. According to the prosecution, on the date of incident, which took place on 17 March 2020, the present applicants and other co-accused

abducted and assaulted the complainant as the vehicle which the complainant was driving had hit the vehicle of the applicants from behind. It is alleged that the applicants and other co-accused had demanded Rs. 10,000/- to the complainant to release his vehicle.

5. Prima facie, the incident not appears to be premeditated. The applicants are in jail for two and half years. Considering the overall facts and circumstances, I am inclined to release the applicants on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The Applicant No. 1- Akshay Tukaram Patil and Applicant No. 2- Mithun Tukaram Patil shall be released on bail in Crime No. 58 of 2020 registered at Mangaon Police Station, Raigad for the offences punishable under Sections 364A, 394, 385, 504 r/w 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants 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.)