



**This order dated 28th June, 2024 is corrected and uploaded in
view of the order dated 12th July, 2024**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

949 ANTICIPATORY BAIL APPLICATION NO. 557 OF 2024

Dhananjay Bapu @ Dhananjay Bansilal Sonar

..APPLICANT

-VERSUS-

1. State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

...

Advocate for Applicant : Mr. Patil Jitendra Vijay

APP for Respondent/State: Mr.S.P. Sonpawale

Advocate for Assist to P.P. : Mr. Pathan Ziya Jakeriya

...

AND

CRIMINAL APPLICATION NO. 1654 OF 2024

IN ABA/557/2024

ANIL SHIVDAS SISODE

VERSUS

DHANANJAY BAPU @ DHANANJAY BANSILAL SONAR AND ANOTHER

...

Advocate for Applicant : Mr. Pathan Ziya Jakeriya

APP for Respondent/State : Mr.S.P. Sonpawale

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CORAM : SHIVKUMAR DIGE, J.

DATE : 28th June, 2024.

P.C.:

1. For the reasons mentioned in Criminal Application No.1654/2024, the application for assist to Public Prosecutor is allowed.
2. The applicant in Anticipatory Bail Application No.557 of 2024 apprehends arrest in connection with FIR No.108 of **2024** registered with Amalner Police Station, Amalner, for the offence punishable under sections 387, 506 of the Indian Penal Code (For short, "IPC").

3. It is prosecution's case that the applicant had sent messages on the whatsapp of informant demanding Rs.1,00,000/- from the informant with a threat that he will make video viral regarding beating of informant by the ladies with shoes. It is alleged that the applicant with an intention of demanding ransom threatened informant of making his video viral. Based on these and other allegations, the offence under the abovesaid sections were registered.

4. It is contention of the learned counsel for the applicant that there is three days delay in lodging the F.I.R. The applicant has not forwarded any message or made any call to the informant. There is no call records of phone calls between the applicant and the first informant. The applicant has been falsely implicated in this case. Custodial interrogation of the applicant is not required. Hence he requested to allow the application.

5. It is contention of the learned APP along with learned counsel for assisting to prosecution that transcription of messages sent by the applicant on the mobile phone of the informant shows that the applicant has demanded *Diwali Bhet* from the informant and pay the amount on phonePe shows that the applicant had demanded ransom from the first informant. The learned APP further submitted that there are statements of the witnesses, who have stated that the applicant had threatened the first informant. It shows his involvement in the crime. Custodial interrogation of the applicant is required, hence he

requested to reject the application.

6. I have heard all the learned counsel. Perused the F.I.R. and police papers produced on record.

7. The allegations against the applicant are that he had called to the first informant but no call records in that regard is collected by the Investigating Officer. Though the messages are sent on mobile of informant but these messages are in respect of *Diwali Bhet* and payment of amount. It does not show that it was for ransom. Considering the allegations against the applicant, his custodial interrogation is not required, hence I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with FIR No.108 of **2024** registered with Amalner Police Station, Amalner, for the offence punishable under sections 387, 506 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.15,000/- with one surety of the like amount, on the following conditions :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

[SHIVKUMAR DIGE, J.]