



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

997 ANTICIPATORY BAIL APPLICATION NO. 1428 OF 2024

Anand Pandurang Narsale
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. K. P. Rodge and Mr. T.B. Hilal
APP for Respondents: Mr. S. B. Narwade
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CORAM : SHIVKUMAR DIGE, J.
DATED : 5th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with FIR No.332 of 2024 registered with Parner Police Station, for the offences punishable under sections 365, 337 read with 34 of the Indian Penal Code and sections 3 and 25 of the Arms Act.

2. It is prosecution's case that informant Rangnath Waral is the Chairman of Sahkar Maharshi Kisanrao Patil Patsanstha. He is 76 years old. He is also Chairman of the same Patsanstha branch Nighoj. It is alleged that the accused No.1 had taken loan from the said Patsanstha but has not repaid that loan. Patsanstha had taken action of auction against the land of the accused No.1. It is alleged that the accused No.1 used to frequently visit Patsanstha and used to say that he has repaid all the loan amount. The informant used to tell

him to produce documentary proof of payment of loan. It is alleged that on 4th May, 2024, at around 9.30 a.m., when the informant was standing near the gate of Pharmacy college, at that time, the accused No.1 came there in Car, which was driven by the applicant. Some persons were sitting in it. It is alleged that the accused No.1 told the informant to sit in the said Car as they want to talk about the loan. Initially, the informant was hesitant to sit in the Car but after convincing by accused No.1, the informant sat on the back seat of the Car. Thereafter, the Car was driven in speed towards Nighoj. When informant asked them to stop the Car, the unknown persons sitting next to informant caught his collar and hands and the accused No.1 who was sitting next to the driver of the said car, took out pistol and pointed it towards the informant. When the Car reached near Government Hospital, Nighoj, its speed was slowed. Therefore, the informant jumped out from the Car and fell on the road. Due to jump, informant sustained bruises and his clothes were torn. He started running towards the Government Hospital, it is alleged that the accused No.1 and other unknown persons chased him. The allegations against the applicant are that he was the driver of the car in which the informant was kidnapped. It is alleged that the accused No.1 caught the informant and when were dragging him towards Car, at that time one Sadashiv Waral and his wife were passing in the Car and they stopped the Car and went towards the informant and

accused No.1 and rescued the informant from the clutches of the accused No.1. Thereafter, the informant lodged the report. The allegations against the applicant are that at the time of incident he was driving the car in which informant was kidnapped.

3. It is contention of the learned counsel for applicant that the applicant has been falsely implicated in this case. The applicant is employee of accused No.1 and he was not aware whether the informant was kidnapped or not. Accused No.1 has been released on anticipatory bail by this Court. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the applicant was the driver of the car in which the informant was kidnapped. The applicant has played a crucial role in the said crime. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record. The allegations against the applicant are that he was driving the car in which the informant was kidnapped. In the F.I.R. the main allegations are made against

accused No.1, who has been released on anticipatory bail by this court. Considering the allegations against the applicant his custodial interrogation is not required and I pass the following order :-

ORDER

- (i) The application is allowed.

- (ii) The interim anticipatory bail granted to the applicant vide order dated 26.08.2024 stands confirmed on the same terms and conditions.

(SHIVKUMAR DIGE, J.)

rlj/