



Diksha Rane

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

BAIL APPLICATION NO.275/2024

DADARAM AKTAR BHOSALE	..APPLICANT
VS	
THE STATE OF MAHARASHTRA	..RESPONDENT

**WITH
BAIL APPLICATION NO.276/2024**

BABLU ALIAS BATTU CHOTU CHAVHAN	..APPLICANT
VS	
THE STATE OF MAHARASHTRA	..RESPONDENT

Adv. Sanjeev B. Deore a/w. Adv. Jitendra K. Pagare, Adv.
Suchia J. Pawar, Adv. Navin Singh for the applicants.
Mr. S. A. Karmakar, APP for the State in BA/275/24.
Mr. Swapnil V. Walve, APP for the State in BA/276/24.
PSI Ajinath Narayan Kothale, Malegaon Taluka, Nashik.

CORAM : M. S. KARNIK, J.

DATE : APRIL 3, 2024.

P.C. :

1. Heard learned counsel for the applicants and learned APPs for the State.
2. These are the applications for bail in respect of the offence punishable under Sections 120-B, 342, 364(a), 395, 504, 506 of the Indian Penal Code (hereafter 'IPC' for short) registered on 14/11/2022 vide C.R. No. 624/2022 with

Malegaon Taluka Police Station.

3. The applicants are the accused nos.1 and 2. The prosecution case in brief is that the complainant is a scrap dealer residing at Ahmadabad. The accused persons called up the complainant and told him that they can offer him scrap at a reasonable rate. Accordingly, the complainant went to Dhule to meet the accused persons. The complainant was taken on a motorcycle on the pretext that the scrap is lying at the distance of 30 kilometers from the city. The complainant found something suspicious and sent his location on what's-app to one of his friends. Thereafter, the complainant realized that he has been kidnapped. The accused persons called up the complainant's father and demanded ransom of Rs.10 lakhs. The complainant's father agreed to pay ransom of Rs.3 lakhs which he arranged from friends and relatives. A sum of Rs.2,25,000/- was transferred to the accused persons. The complainant was allowed to go thereafter. The police officials succeeded in nabbing two accused persons out of six, that is the present applicants. Four of the accused are absconding.

4. Learned APPs appearing in respective applications

vehemently opposed the applications. They submitted that the offence is serious. They further submitted that there was a threat to the life of the complainant. It is also submitted that four of the accused are still absconding and therefore, there is every likelihood of the applicants absconding.

5. The applicants were arrested on 15/11/2022 and now are in custody for more than one year and four months with no possibility of the trial concluding any time soon. Merely because the co-accused are absconding, is not a ground to deny the bail to the applicants particularly at this distance of time. The applicants will face the consequences post-trial if found guilty. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicants. I propose to enlarge the applicants on bail but upon imposing stringent conditions. Hence, the following order :-

ORDER

(a) The applications are allowed.

(b) The applicants - (1) Dadaram Aktar Bhosale and (2) Bablu alias Batta Chotu Chavhan in connection with C.R. No.

624/2022 registered with Malegaon Taluka Police Station shall be released on bail on their furnishing P.R. Bonds of Rs.50,000/- each with one or more local sureties each in the like amount.

(c) The applicants shall report to the concerned police station once in a week i.e. every Saturday between 11.00 a.m. and 1.00 p.m. till the trial concludes.

(d) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicants shall not tamper with evidence.

(e) On being released on bail, the applicants shall furnish their contact numbers and residential addresses to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for attending the trial at Malegaon, the applicants shall not leave Dhule District after being released on bail without permission of the trial Court, till the trial concludes.

(g) The applicants shall attend the trial regularly. The applicants shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicants shall surrender their passports to the investigating officer.

6. The applications are disposed of.

(M. S. KARNIK, J.)