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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.2314 OF 2024

Vishwajeet Ramesh Kasar

Age: 31 years, Occu.: Agri.,

R/o. Walki, Tq.. Nagar

Dist. Ahmednagar.

... Applicant

Versus

The State of Maharashtra,

... Respondent

.....

Mr. Kuldeep Nikam, Advocate h/f Mr. Satej S. Jadhav, Advocate
for Applicant

Mr. C.V. Bhadane, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 18 MARCH 2025

PRONOUNCED ON : 20 MARCH 2025

PER COURT :-

1. Applicant seeks grant of regular bail on account of his arrest in Crime No.0376 of 2023, registered at Ahmednagar Taluka Police Station for offences under Sections 302, 384, 386, 387, 323, 504, 506, 507, 120-B, 75, 201 r/w 34 of the Indian Penal Code (IPC) and under Sections 3(1)(i), 3(2) and 3(4) of the Maharashtra Control of Organised Crime (MCOC) Act.

2. Learned counsel for the applicant submitted that, applicant is arrested in above crime on 22.11.2023. That, no overtact is attributed to the applicant. That, there are allegations

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against the present applicant that, he is conspiring for extortion and made a telephone call, but there is no evidence to that extent. Further, applicant is also not responsible for death of informant's father, who allegedly died due to giving kicks and fist blows. According to learned counsel, investigation is over and no further recovery or discovery is shown to be made at the instance of applicant, and charge-sheet is filed in October 2023 itself, and as there are no immediate prospects of matter going for trial or it gets concluded, learned counsel seeks relief of bail. Learned counsel also seeks ground of parity, as according to him, this Court has granted bail to Ashok @ Sonu Vitthal Gund and Shubham @ Bhole Bhalsing by orders dated 19.09.2024 and 21.10.2024, respectively.

3. The learned APP opposed the application on the ground that, the applicant is main accused, he has hatched conspiracy, and he had made a phone call to informant and his brother demanding money for conducting business. That, all have named him. According to learned APP, though the charge-sheet is filed in October 2023, now matter is on the stage of framing charge, and as such, there are bright chances of trial itself coming to an end. That, apart from the above crime of IPC there are other crimes are also registered against the applicant and

co-accused under the MCOCA. Therefore, on above grounds, learned APP seeks rejection of application.

4. Heard. Perused the papers. Report dated 30.04.2023 is at the instance of one Anuraj Lokhande, who reported police that, while he was sitting in his cloth shop, he received a phone call from his cousin sister Sakshi informing about arrival of Inrajeet Kasar and his companion Shubham on a motorcycle, and they demanded money from her mother Shobha for running the shop and abusing her. On receipt of such information, informant rushed home and claims that, in front of the house of his aunt Shobha, Indrajeet and Shubham were demanding Rs.2,70,000/- from his aunt, and on failure to pay, they allegedly abused her and issued life threats. He further reported that his father, Natha Lokhande, arrived and questioned both about their demands for money, which led to verbal exchange of words. It is alleged that, when his father asked them to leave, they both, i.e., Indrajeet and Shubham, beat his father as a result of which his father fell unconscious and was taken to the Hospital of Dr. Katkar, who was advised to be taken to Anandrushi Hospital at Ahmednagar. He further claims that, while he was in the house, he received a

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phone call from Vishwajeet Kasar (present applicant) from mobile No.7387956570, and again threatening him for not paying demanded money to his brother Indrajeet. Informant claims that, his cousin Ravi also informed about receiving a phone call from Vishwajeet Kasar, i.e. present applicant. At around 6:10 p.m., informant claims that, he received a phone call from his uncle Shivaji asking him to come soon as his father's condition is deteriorating. On reaching Hospital, he was informed that his father had died. Hence, the report.

5. No doubt, except allegations of receiving telephonic call and threats demanding money, no overtact is attributed to present applicant. Though, this Court had granted bail to Ashok Gund and Shubham Bhalsing, however, taking into account the statement made by learned APP across the bar that, present applicant is the main accused and he has demanded money for running business, coupled with submissions of learned APP that, matter is posted for framing charge, there are indeed bright chances of trial commencing soon and coming to an end. If the charge is not framed within three months from today, then applicant is at liberty to move this Court a fresh on the ground of long incarceration.

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6. In the light of above, this Court is not in favour to grant bail. Hence, the following order:

ORDER

Bail Application is rejected

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane