

Order below Exh. No. 63 in Sessions Case No. 67 of 2015

State Vs. Santosh Bhagwat Patil

The absconding accused Mashid Shah Ajij Shaha Fakir has applied for grant of anticipatory bail vide application Exh.63. F.I.R. was lodged on 23-1-2015. The alleged incident has occurred on 14-1-2015. All the co-accused are enlarged on bail whereas accused No. 5 Rahul Sonawane is still absconding. After investigation charge-sheet was filed and present applicant accused is shown as absconding. Prima-facie, allegation against present applicant is regarding conspiracy of ran-sum.

2] Learned A.P.P. filed his say. Original complainant Rajendra Kashinath Kanade appeared through his counsel and filed affidavit Exh. 72. It is his contention that present applicant-accused has extorted one golden chain, ring and cash amount of Rs. 1200/- and same are yet to be recovered and hence he prayed that anticipatory bail shall be rejected.

3] Investigating Officer has filed his say vide Exh.74. He also contended that the extorted articles may be recovered from the accused. Though, the accused appeared at police station, he has not co-operated in Investigation.

4] Perusal of charge-sheet reveals that the offence is serious as well as grievous. For offence under section 364 of I.P.C. punishment is of life imprisonment. Moreover, as per say of complainant, it is also necessary to hold identification parade. As such, for the recovery of extorted valuables and identification of the accused, custodial interrogation of the accused is necessary. As such, interim bail

granted to the applicant-accused is required to be cancelled. Hence, the following order.

ORDER

- [1] Application Exh. 63 for grant of anticipatory bail stands rejected.
- [2] Inform concern police station.

Date : 26-04-2016

(Mrs. K. B. Agrawal)
Addl. Sessions Judge, Jalgaon.