



Order below Exh.1 in Criminal Bail
Application No. 1244/2022.

1. This is an application preferred by applicant Sonu @ Balesh Narhari Deshmukh for bail under section 439 of Cr.P.C. in C.R. No. I-157/2022 registered in Indira Nagar Police Station, Nashik for the offence punishable under section 328, 389, 419, 420, 392 r/w section 34 of the Indian Penal Code.
2. It is submitted by the accused that he is permanent resident of the address. There is delay of 12-13 hours in filing the FIR. Remand report does not reflect what kind of unwholesome drug was administered to the complainant. Even it does not reflect that naked photographs were taken of the complainant. Present accused has neither called the complainant nor he kidnapped him. He has not accepted any amount from him nor he has administered drug to him due to which the offence leveled against him are not attracted. What role has been played by him is not reflected. He has been falsely implicated in the offence. Sum of Rs.66,000/- was transferred to the account of co-accused and he has no concern with the remaining amount. He is ready to abide by the terms and conditions. Hence, prayed that application be granted.
3. Say was called of the investigating officer. He has objected this application on the count that, offence is serious in nature. Investigation is in progress. Accused is habitual offender and offence under POCSO Act is filed against him. Wife of the accused is also co-accused in the present offence she is yet to be found. If accused is released on bail there is every possibility of threatening the witnesses.

Share of the accused has been utilized by the accused and he has not cooperated in the investigation hence prayed that application be rejected.

4. Heard Ld. APP and Ld. Advocate for accused in detail. It is submitted by the Advocate for the accused that already investigation is completed. Nothing has been recovered from the present accused. He has been falsely implicated. Hence, prayed that bail be granted. On the other hand it is submitted by the Ld. APP that except for two accused complainant is not aware about the name of co-accused who are absconding. Investigation is in progress. Complainant is under medication. If accused is released on bail he will threaten the witnesses as well as identification parade is yet to be conducted. Hence, prayed that bail be rejected.

5. On considering the FIR it is seen that serious allegations have been made against the accused persons. At the instance of showing the vehicle grievous offence has been committed of taking partial nude photographs of the complainant with one lady. Allegations have been made against the accused and Rs.91,000/- has been extracted by threatening him that obscene photographs will be uploaded. It is seen that co-accused are yet to be apprehended. Investigation is in progress. Offence is serious in nature. Hence, I am not inclined to release the accused at this stage. Hence, I proceed to pass following order.

ORDER

Application is hereby rejected.

Nashik.
Date : 15/10/2022.

Sd/-xxx
(V.S.Malkalpatte-Reddy)
Additional Sessions Judge,
Nashik.