



Order below Exh.1 in Criminal Anticipatory Bail
Application No. 1242/2022.

1. This is an application for anticipatory bail under Section 438 of Cr.P.C. in C.R. No. I-157/2022 registered in Indira Nagar Police Station, Nashik against applicant Imran Rashid Khan Inamdar for the offence punishable under section 328, 389, 419, 420, 392 r/w section 34 of the Indian Penal Code.
2. In short it is the case of the prosecution that on the count of showing second hand four wheeler; applicant came along with one young girl and sat in the car of the complainant and took them beyond Sandip Foundation near deserted place and put some unwholesome drug in the water due to which he became unconscious when he gained consciousness he saw that his pant as well as inner wear has been pulled down and his photo was taken along with the girl. Two persons came on motorcycle and three ladies came in rickshaw and called two more impersonated police officer. They threaten him that they will upload the obscene photographs and viral it and took Rs.95,000/-. Hence, the complaint.
3. It is contended by the Advocate for the applicant that co-accused Sonu Deshmukh has been arrested by police. Nothing has been recovered from him. There is delay of 15 days in lodging the FIR. The contentions made in FIR is not believable. No role has been played by the applicant and he has not played any active role. He has been falsely implicated in the offence. Nothing has to be recovered. He is ready to abide by the terms and conditions. Hence, prayed that application be granted.

4. Say was called of the investigating officer. He has objected his application on the count that, present accused is the main accused who had planned to commit the offence. Applicant recognizes four female accused and two male accused who will tell them about their name and address. Applicant has transferred Rs.63,000/- forcibly by phone pay and transferred in his account and the said amount has to be recovered. They have to inquire from where unwholesome drug has been obtained which was administered to the complainant. Accused is absconding. He is not found at the address, hence, his custody is essential to investigate the serious offence. Hence prayed that application be rejected.

5. Heard Ld. APP and Ld. Advocate for accused in detail. It is submitted by the Advocate for the accused that the complaint is concocted. There is delay of 15 days in lodging the FIR. It is highly improbable that any person will transfer the amount in his account. He has been falsely implicated. Hence, prayed that bail be granted. On the other hand it is submitted by the Ld. APP that offence is serious. Custody is required for thorough investigation. Hence, prayed that application be rejected.

6. 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 on the complainant by taking his partial nude photographs along with one lady. Allegations have been made against the applicant and Rs.63,000/- is to be recovered which has been obtained by threatening the complainant that his 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. Custodial interrogation is necessary for recovery of the amount as well as to locate the co-accused and to inquire about the unwholesome drug. Nothing has been brought to reflect that applicant has been falsely

implicated in the crime. Thus, considering the nature of allegations, prima-facie case is not made out by applicant for grant of pre-arrest bail. Hence, I pass the following order :-

ORDER

Application is hereby rejected.

Nashik.
Date : 18/10/2022.

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