

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

ANTICIPATORY BAIL APPLICATION NO.1564 OF 2014

Mr Manikchand Mangilal Soni).. Applicant.

V/s

The State of Maharashtra).. Respondent.

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Ms Sonal V. Parab i/b Rajeev Sawant & Associates, for applicant.
Mrs. Rutuja Ambekar-APP, for State.

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CORAM : PD KODE, J.

DATE : JANUARY 15, 2015

P.C.

1. For the detailed reasons recorded in the order dated 15th December, 2015, my learned predecessor has passed ad-interim directions in terms of Section 438 of Code of Criminal Procedure, 1973 in favour of the Applicant. The prosecution has filed say in pursuance to the notice of the application served. A perusal of the say does not reveal any particular reason for which custodial interrogation of the Applicant would be necessary for completion of investigation. Learned APP tried to suggest such a need by stating that there may be a racket which could be detected after the investigation. It is submitted that the Applicant has SPA Centres at three more places.

2. It is difficult to accept said submission, which is more so speculative rather than based upon any conclusive material collected. The learned counsel for the Applicant submitted that the Applicant will abide by the conditions imposed while granting the ad-interim order. Resultantly, the application is allowed.
3. The ad-interim directions given by the order dated 15 December, 2015 is hereby confirmed on earlier terms and conditions, with modification that the Applicant shall now attend the Investigating Officer on every first Monday of the month in between 11.00 a.m. to 01.00 p.m. and so also on any other day for which he would be summoned by Investigating Officer and shall not leave the the jurisdiction of Bombay without obtaining prior permission from the Trial Court. The Applicant shall also deposit his passport with the Investigating Officer and/or file Affidavit to the effect if he is not holding any passport. However, the Applicant is permitted to go to Bangalore for visiting his family, subject to filing in advance detailed programme with the Investigating Officer or the Court and adhering to it.
4. The application is disposed of.

(P.D. KODE, J.)