

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1926 OF 2016

Sunil Pandurang Mantri and Ors.

.....Applicants

V/s.

State of Maharashtra

.....Respondent

* * * * *

Mr. Shirish Gupte, Senior Advocate a/w. Mr. Rahul Pande i/by. Mr. Harshad Bhadbhade, for the applicant.

Mr. Deepak Thakare, APP for the respondent, State.

Mr. Prakash Fernandes, Advocate for Intervenor.

CORAM :- N.W. SAMBRE, J.

DATED :- 25th NOVEMBER, 2016.

P.C. :-

1). Mr. Gupte, learned Senior Advocate appearing for the applicants, upon instructions, makes a motion for withdrawal of Bail Application of applicant no.1, Sunil Mantri. The request is not opposed. The Bail Application as against applicant no.1 is disposed off as withdrawn.

2). So far as claim of applicant no.2, Sarita Sunil Mantri is

concerned, who is seeking pre-arrest bail in Crime No.3 of 2016 for offences punishable under Sections 406, 420 read with Section 34 Indian Penal Code, a categorical statement is made that applicant no.2 has already resigned from the Company with effect from 1st January, 2011 and the appropriate documents to that effect in Form No.32 are placed on record.

3). Looking to the nature of allegations against applicant no.2 and the fact that she remained as a Director of the Company from 1st January, 2011, in my opinion, applicant no.2 cannot be *prima-facie*, held to be vicariously responsible and as such, *prima-facie* involvement cannot be inferred. In view thereof, in the event of arrest of applicant no.2, she be released on bail on furnishing P.R. Bond of Rs.2,00,000/- (Rs. Two Lakhs only) with two sureties in the like amount.

4). Applicant no.2 to attend the Investigation Officer on 6th, 8th and 13th December, 2016 between 10 a.m. to 12 p.m. and thereafter as and when called.

5). Applicant no.2 not to influence the witnesses or tamper with the evidence in any manner whatsoever.

(N.W. SAMBRE, J)