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

CRIMINAL BAIL APPLICATION NO.55 OF 2017

Deepak Uttam Thorat	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.J.D.Mane, for the Applicant.

Ms.S.S.Pednekar, A.P.P. for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 3rd APRIL, 2017

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the Respondent - State.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.587 of 2016 registered with the Pandharpur City Police Station, Solapur for the alleged offences punishable under Sections 342, 365, 384, 386, 506 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicant seeks bail on the ground of parity. He submitted that similarly placed co-accused have been enlarged on bail by this Court. He relied on the several orders passed by this Court in separate applications.

4. Learned APP does not dispute the fact that similarly placed co-accused have been enlarged on bail by this Court.

5. Perused the papers. According to prosecution on 4th September, 2016, 4 persons arrived in the complainant's dispensary. One of them represented that he is a journalist and took him inside and told him that he wanted to ask questions in respect of the death of an old woman. The said person also made allegations on the complainant that the said old woman had expired 2 to 3 months back due to the complainant's negligence. They alleged that the complainant had injected a wrong medicine which led to her death and hence had come to enquire about the same. The said persons called one Sunil Borade to whom the room was let out by the complainant. The said persons made a video recording of the conversation that took place and also took photographs with the medicines

which had expired. The said persons demanded Rs.20 lakhs to hush up the matter. Being scared the complainant agreed to pay the same. It is alleged by the complainant that the said persons caused him to give a bearer cheque of Rs.5 lakhs in the name of Deepak Uttam Thorat (applicant) of ICICI Bank and demanded Rs.1 lakh in cash. The complainant accordingly called his wife and asked her to arrange for Rs.1 lakh. In the meantime, the applicant and the other co-accused took the complainant in the car and told his wife that he would be released only when they receive the said amount of Rs.1 lakh. The complainant's wife informed the police who laid the trap, pursuant to which the applicant and some of the other accused were arrested on the spot. It is not in dispute that similarly placed co-accused have been granted regular bail by this Court. It appears that admittedly no money was actually parted, pursuant to the demand. There are no criminal antecedents against the applicant. The complainant was not assaulted by any of the accused. The applicant has been in custody since 5th September, 2016. The charge-sheet is filed.

6. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount;
- ii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- iv) The Applicant shall cooperate with the conduct of the trial;

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima*

facie, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)