

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1249 OF 2017

Smt. Lata Manik Thosare .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.N.S.Mundargi i/b. Ms S.P.Kode, Advocate, for the Applicant
Mrs.R.Ambekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 03.08.2017

P.C.

. Heard learned counsel for the parties.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 298 of 2017 registered with the Hinjewadi Police Station, Pune, for the alleged offences punishable under Sections 13 (1)(c), 13(1)(d), 13(2) of Prevention of Corruption Act, and under Sections 120B, 467, 468, 471 and 109 of the Indian Penal Code.

3. Learned Counsel for the applicant submits that the applicant is the wife of the main co-accused - Manik Thosare. He submits that the allegation pertains to the Asian Athletics Games,

organized at Balewadi Stadium in 2013.

4. It is alleged by the Anti Corruption Bureau, Pune, that they received a complaint alleging malpractices in the Sports Department, pursuant to which, investigation commenced. It is alleged that the applicant's husband - Manik Thosare, had the responsibility of accommodation, food and breakfast of foreign players. It is further alleged by the complainant, that the applicant's husband - Manik Thosare, received kickbacks from 2 hotels i.e. Hotel Courtyard by Marriot, Pune and Hotel Holiday Inn to the tune of Rs.16 lakhs. It is alleged that the said kickbacks were received in the name of Manik Thosare's subordinate officer's wife – Sheetal. It is further alleged that the said amount which was received by Sheetal was used to purchase land in the name of the applicant's father – Babulal Gupta, at Mulshi.

5. It appears that the allegation against the applicant is that she contributed a sum of Rs.1 lakh, towards the purchase of the said land, in her father's name i.e Babulal Gupta at Mulshi.

6. Learned APP states that the Applicant has submitted both the documents i. e. Power of Attorney and Sale Deed to the

investigating officer and as such, the custody of the Applicant is not required. Learned APP makes the said statement on instructions.

7. Considering the role of the Applicant and the fact that the Applicant has submitted the necessary documents as required, custodial interrogation of the Applicant is not required. Accordingly, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions:-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.20,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station on **8th & 9th August, 2017** between **10.00 a.m. to 12.00 noon** and thereafter, as & when called for by the investigating officer.

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

9. 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.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)