

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1654 OF 2017**

Ganesh Maruti Sonawane

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Sachin H. Deokar for the Applicant

Mr. Y. M. Nakhwa, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 25th JULY, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 133 of 2017 registered with the Faraskhana Police Station, Pune, for the alleged offences punishable under Sections 384, 392 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicant states that the applicant was arrested on 16th June, 2017 and is in custody since then. He submits that the investigation is almost over in the said case. He further submits that

co-accused Anil Raskar has been granted pre-arrest bail by this Court via order dated 21st July, 2017.

4. Learned A.P.P opposed the application. He, however, does not dispute that the investigation is almost over.

5. Perused the papers. According to the complainant, the applicant threatened to implicate him in a false case and to put him in police lock up, if he failed to pay an amount of Rs.25,000/-. It appears that pursuant to the threats, the complainant was constrained to go to an ATM by the applicant, from where he withdrew an amount of Rs.15,000/-, as he only had Rs. 10,000/- in cash with him. The complainant handed over a sum of Rs. 10,000/- in cash, to the applicant and the withdrawn amount of Rs. 15,000/- also to the applicant. The said event i. e. of withdrawal from ATM, has been captured in the CCTV camera. It also appears that thereafter, the applicant called up co-accused Anil Raskar and informed him about the payment of the said amount. The said fact, is also borne out by the CDR. It appears, that after the said amount was paid, the applicant handed over the license, mobile and car keys to the complainant and

allowed him to leave. It is informed that the applicant has been suspended from service. No doubt, *prima facie*, there is material against the applicant, however, in the facts of the case, continued custody 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) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on the first Monday of every month between 10:00 a.m. to 12:00 noon for a period of 12 months from the date of his release;
- (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 inform his latest place of residence and mobile contact number 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;

(v) The applicant to cooperate with the conduct of the trial.

6. The application is accordingly disposed of.

7. 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.

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

REVATI MOHITE DERE, J.