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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.381 OF 2019

Mrs.Rajashri Ratnakar Kolekar ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Rajendra Desai i/b. Thodur Law Associaes for the applicant.

Ms.S.S.Kaushik, APP for the respondent-State.

Mr.Ajinkya Badar i/b. Samrat Thakkar for the intervenor.

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 13, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.46/2018 for offence punishable under section 406 of the Indian Penal Code registered with Murud police station, District Raigad, the applicant is seeking pre-arrest bail.

3. The case of prosecution is, official of the company in which the applicant is working as custodian of material of

complainant, illegally sold the same.

4. A statement on instructions is made by learned counsel for the applicant that an amount of Rs.2,50,000/- will be deposited by the applicant with the investigating officer within one week from today. Since the statement is made on instructions, the same is accepted as an undertaking as the value of the material sold is shown to be of same worth in F.I.R.

5. Mr.Ajinkya Badar, learned counsel for the complainant submits that the order of *Supratnama* in its favour is dishonoured by the applicant and the value of the property is more than Rs.2,50,000/-. Keeping the option of the complainant open, in whose favour the order of *Supratnama* was passed, for taking out appropriate proceedings before the competent Court, I hardly notice any reason to reject the application for pre-arrest bail.

6. Considering the status of the present applicant in the Company, she was the custodian of the material of the complainant, part of which went missing and in view of the *bona fides* shown by the applicant, a case for pre-arrest bail is made out. Hence the order :-

- i) In the event of arrest in Crime No.46/2018 for offence punishable under section 406 of the Indian Penal Code registered with Murud police station, District Raigad, the applicant be released on bail on her executing P.R. bond of Rs.25,000/- with one or more sureties in the like amount;
- ii) The applicant shall attend the Investigating officer as and when directed;
- iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- iv) The applicant shall co-operate with the investigating agency;
- v) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)