

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

CRIMINAL APPLICATION NO. 1208 OF 2018
IN
ANTICIPATORY BAIL APPLICATION NO.1215 OF 2016

Sunil T. Mandhan ...Applicant.

Vs.

State of Maharashtra ...Respondent.

Mr.Debajyoti Talukdar for Applicant.

Mr. S.H.Yadav, APP for the Respondent/State.

CORAM : P.N. DESHMUKH, J.

DATE : 15TH MARCH, 2019

PC :

1. This application is for modification of order of this court dated 1.9.2016 in ABA No.1215/2016 by which the applicant is protected from arrest and is directed to furnish PR bond in the sum of Rs.50,000/- with one or two sureties in the like amount. According to applicant, he is unable to furnish sureties to the extent of Rs.50,000/- as aforesaid and prays that said condition be modified by reducing the same. Order is passed way back in September 2016. The applicant, though all these

days took no steps to furnish sureties. Learned counsel for applicant submits that pending this application charge sheet in this crime is filed and applicant is served with notice to remain present before the trial court on 28.3.2019 and therefore, prays since applicant has not furnished bail, he is likely to be arrested and submits that application be allowed by reducing surety amount else the order passed in his favour would render infructuous.

From the order granting anticipatory bail application, it is found that after hearing both sides on merits applicant is held to be entitled for protection from arrest. In that view of the matter, for the reasons mentioned in the application and applicant since is found to be unable to furnish surety to the extent of Rs.50,000/- is likely to be arrested, for non furnishing bail and as such, very purpose of his filing application would be frustrated.

3. Having considered the facts as aforesaid and even otherwise since investigating agency took no steps to effect arrest of applicant all these years from 1.9.2016, bail application is liable to be allowed. by

modifying order dated 1.9.2016 with regards to directions issued to applicant to furnish PR bond and surety bond to furnish the same to the extent of PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

4. The applicant shall comply this order by furnishing sureties on or before 25.3.2019,

Parties to act on a copy of this order duly authenticated by Sheristedar of this Court.

(P.N. DESHMUKH, J.)