

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

ANTICIPATORY BAIL APPLICATION NO. 2120 OF 2018

Umesh Sopan Sonawane ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Sanjiv P.Kadam I/by Prashant P. Raul for Applicant.

Ms. Rutuja Ambekar, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 30, 2019.

P.C. :

. In Crime No. 513 of 2018 for an offence punishable under Sections 115, 120-B, 511 read with Section 34 of the Indian Penal Code and Sections 3, 5, 25 of the Arms Act, the Applicant is seeking pre-arrest bail.

2. This Court vide order dated 12th October 2018 has granted ad-interim protection in favour of the Applicant.

3. Perused the case diary. The Fact remains that the allegation against the Applicant is that of providing finance to accused Datta Ashok

Shinde in the matter of contract killing. The name of the Applicant is shown as co-accused in the matter of hatching conspiracy of murder. The fact remains that the fire arm is already seized from the co-accused Datta and the hearsay evidence available on record is sought to be relied upon by the prosecution connecting the accused in the crime in question.

4. Considering the aforesaid piece of evidence, allegation of indirect involvement of the Applicant in the crime, recovery of weapon from co-accused Datta and operation of ad-interim protection, it will be appropriate, in my opinion, to confirm the same.

5. As such, the ad-interim protection granted earlier by this Court vide order dated 12th October 2018 is confirmed in addition –

- (A) In the event of arrest of Applicant in Crime No. 513 of 2018 for an offence punishable under Sections 115, 120-B, 511 read with Section 34 of the Indian Penal Code and Sections 3,5, 25 of the Arms Act, the Applicant be released on executing PR Bond of Rs.15,000/- with one or more sureties in the like amount.
- (B) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

(C) Till framing of charge, the Applicant shall live outside the jurisdiction of the police station.

6. Anticipatory Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)