

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

CRIMINAL BAIL APPLICATION NO. 3407 OF 2018

Manoj Lamane	... Applicant
Vs.	
The State of Maharashtra	... Respondent

...

Mr. Kripashankar Pandey for the applicant.

Mrs. A.A. Takalkar, APP for the Respondent-State.

Mr. Sunil Shinde, Police Inspector, Dindoshi Police Station is present.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 12th FEBRUARY, 2019.**

P.C.

1. This is an application for bail in connection with CR No. 100 of 2017 registered with Dindoshi Police Station for the offence punishable under Sections 195(A), 506, 507 read with 34 & Section 120(B) of the Indian Penal Code. Applicant was arrested on 1st February, 2018. First Information was lodged on 9th February, 2017.

2. Prosecution case is that Sessions Case No. 44 of 2015 is pending for adjudication before the Sessions Court at Dindoshi, Mumbai. It is alleged that applicant had allegedly threatened the witnesses on 28.11.2016, 23.1.2017, 28.01.2017, 30.01.2017, 04.02.2017 and 05.02.2017. It is also alleged that applicant also

intimidated to the Special Public Prosecutor. On completing investigation, chargesheet has been filed.

3. Learned counsel for the applicant submitted that applicant has been arrested one year after the registration of the First Information Report. It is submitted that in the event there was apprehension of any threat to the witnesses, investigating machinery ought to have taken immediate steps to apprehend the applicant. It is further submitted that first alleged threat was issued on 28th November, 2016 and last threat was issued on 5th February, 2017. However, the First Information Report was lodged on 9th February, 2017. Punishment provided to the offence under section 195-A of Indian Penal Code is upto seven years. There was no complaint at the earlier point of time. It is submitted that applicant had also received the calls from the said Special Public Prosecutor who was allegedly threatened, prior to the registration of the First Information Report.

4. On the last date of hearing, learned APP submitted that the trial in Sessions Case No. 44 of 2015 had already commenced and only two witnesses were to be examined. Learned APP submitted that all the witnesses, except Investigating Officer is being examined. Applicant is in custody from the date of arrest. Further

detention of the applicant is not necessary. Case for grant of bail is made out.

ORDER

- i. Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in connection with C.R. No. 100 of 2017 registered with Dindoshi on furnishing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount;
- iii. Applicant is permitted to furnish cash security in the sum of Rs.15,000/- for a period of six weeks;
- iv. Applicant shall report to the concerned Police Station once in a month on first Saturday of every month between 11 a.m. to 1 p.m. till further order;
- v. Criminal Bail Application is disposed off.

(PRAKASH D. NAIK, J.)