

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

ANTICIPATORY BAIL APPLICATION NO. 1484 OF 2019

Prakash Manilal Thakrar	..Applicant
V/s.	
The State of Maharashtra & Ors.	..Respondents

Mr. Varun M. Pandey i/b. Mr. V. K. Dubey, for the Applicant.
Ms. M. M. Deshmukh, APP for the Respondent / State.
Mr. Ashok Mishra a/w. Mr. Viral Bhanushali i/b. M/s. Solicis Lex,
for the Respondent No.2.
API Mr. Karan J. Kadam, Kandivali Police Station present.

**CORAM : C. V. BHADANG, J.
DATE : 13 AUGUST 2021**

P.C.

. Heard the learned counsel for the parties.

2. The Applicant is seeking anticipatory bail in Crime No.313/2019 of Police Station Kandivali, Mumbai under Section 406 and 420 of IPC. The second Respondent is the original Complainant. The record shows that on 16 July 2019, interim protection was granted to the Applicant inter alia on the condition of deposit of a sum of Rs.2 Lakhs before this Court. The Applicant was required to deposit Rs.2 Lakhs on or before 19 July

2019 and the balance amount of Rs.8 Lakhs within four weeks from 16 July 2019. The record shows that the Applicant has deposited total amount of Rs.4 Lakhs and has thus failed to comply with the condition of interim order. On the last date, there was no appearance on behalf of the Applicant and looking to the non compliance with the condition, interim protection was vacated on 31 July 2021.

3. Learned counsel for the Applicant states that the Applicant has been arrested in some other offence. He states that on account of the Pandemic, the Applicant could not deposit the amount. He also states that the Applicant being in custody is unable to deposit the amount.

3. The contention cannot be accepted for the reason that when the interim order was passed in July 2019, Pandemic had not set in. The Applicant is said to be arrested a week before. Thus, in the absence of the compliance of the interim order and the fact that the Applicant has already been arrested in some other offence, no case for grant of anticipatory bail is made out. The Application is rejected. Needless to mention that the Applicant is at liberty to move an Application for regular bail before the Competent Court after his arrest in the present offence, if so advised.

(C. V. BHADANG, J.)