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

ANTICIPATORY BAIL APPLICATION NO.201 OF 2023

Manisha V. Sartap
VS.

..Applicant

The State of Maharashtra

..Respondent

Mr. Shyamrishi R. Pathak, for the Applicant.

Ms. A. A. Takalkar, APP for the State.

Mr. Prashant Zankar, brother of the applicant is present.

API- Waman K. Thakare, Dharavi Police Station present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 23, 2023

P.C. :

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

2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No.1198 of 2022 dated 14/10/2022 registered with Dharavi Police Station for offence punishable under sections 420, 34 of the Indian Penal Code, 1860.

3. By the order dated 11/01/2023, this Court had

allowed the application for pre-arrest bail in respect of co-accused Vandana Pankaj Zanke and another. The relevant portion of the said order reads thus:

"2. This is an application for pre-arrest bail in respect of the offence punishable under Sections 406, 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.1198 of 2022 dated 14/10/2022 registered with Dharavi Police Station.

3. It is the case of the complainant that the co-accused - Laxman Zanke induced them to part with substantial sums of money on the assurance that a room will be allotted to them in MHADA at a reduced price. The complainant claims to have given Rs.55,50,000/- to six co-accused who are named in the FIR. The applicants are not named in the FIR. The applicants are related to co-accused-Laxman. The applicant no.1 is the daughter-in-law of the accused No.2 and the applicant No.2 is the son of the accused No.2. The transaction has taken place on the account of Laxman and Tushar Vaity. The allegations are mainly against the co-accused Nos.1 and 2 who are stated to have received the money. The applicants are willing to deposit Rs.3,46,000/- before the trial Court. The statement that the amount of Rs.3,46,000/- will be deposited with the trial Court within a period of 4 weeks from today is accepted as an undertaking to this Court.

4. Considering the nature of complicity of the present applicants, they have not been named in the FIR and that it is not the applicants who are actually in receipt of the monies from the complainant, the custodial interrogation of the applicants is not necessary. The applicants therefore can be released on pre-arrest bail. There are no criminal antecedents reported against the applicants."

4. The allegations are mainly against the accused nos. 1 and 2. The applicant is accused no.3. The applicant is a woman. It is alleged that she was present when inducement

was made. An amount of Rs.5,04,000/- is stated to have come to her account. Learned counsel for the applicant on instructions submits that the applicant is willing to deposit an amount of Rs. 5,04,000/- before the trial Court i.e. 12th Court, Bandra, Mumbai, C.C.No.111/PW/13MM in the following manner. He submits that the amount of Rs.1,00,000/- will be deposited with the trial Court during the course of this week. Balance amount will be deposited with the trial Court within a period of 6 weeks from today. Statements are accepted as an undertaking to this Court.

5. In this view of the matter, having regard to the nature of the accusations, custodial interrogation of the applicant is not required. However, the applicant will have to co-operate with the investigation. The applicant to abide by the statements made today. The applicant's brother-Prashant Zanke is present in the Court and assures that the statements will be abided. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) In the event of arrest of the applicant in

connection with C.R.No.1198 of 2022 dated 14/10/2022 registered with Dharavi Police Station, the applicant - Manisha V. Sartap be released on bail on her furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(c) The applicant to abide by the statements made today.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence;

(e) The applicant shall attend the investigating officer on 27th & 28th January 2023 between 11.00 a.m. and 1.00 p.m. and thereafter as and when called for and co-operate with the investigation.

6. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)