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

ANTICIPATORY BAIL APPLICATION NO.216/2023

REKHA ULHAS DHAGE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Rohan Hogle for the applicant.

Ms. P. N. Dabholkar, APP for State.

PSI Samadhan Hire, Ulhasnagar Police Station.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 24, 2023.

P.C. :

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

2. This is an application for pre-arrest bail in respect of C.R. No. 555/2022 registered with Ulhasnagar Police Station, under Sections 385, 386 read with 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).

3. At the outset, my attention is invited to the order dated January 13, 2023 in ABA No.86/2023 filed by Shiv Kumar Suraj Mishra @ Shiv Anuj Suraj Mishra whereby the bail application was allowed to be withdrawn.

4. It is alleged that the applicant along with the co-

accused Shiv Kumar Suraj Mishra demanded a sum of Rs.40,000/-. The amount of Rs.10,000/- paid in the account of the co-accused Shiv Kumar Suraj Mishra through Google. The applicant and the co-accused projected themselves to be the officers of Maharashtra Environment Pollution Control Board and a demand was made from the complainant and the amount was extorted under the threat that the proceedings will be initiated against the complainant's company.

5. So far as the applicant is concerned, the allegation is that the amount of Rs.10,000/- was paid to her in cash. The applicant had come to the factory on Moped Bike and made the demand which was later on complied with by paying the amount of Rs.10,000/- in cash.

6. Though learned counsel for the applicant disputes having received the amount of Rs.10,000/- in cash, nonetheless to show the *bonafides*, on instructions, submitted that the applicant is willing to deposit the amount of Rs.10,000/- with the jurisdictional Magistrate within a period of one week from today. Statement is accepted.

7. It is, moreover, submitted that the alleged two wheeler

which is used in the commission of the offence will be handed over to the investigating officer for the purpose of the investigation. The applicant is also willing to co-operate with the investigation. The applicant is a woman and in these facts, in my opinion, the custodial interrogation of the applicant is not required as she has agreed to co-operate with the investigation. Hence the application deserves to be allowed by passing the following order.

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.555/2022 registered with the Ulhasnagar Police Station, the applicant shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall report to the concerned police station on 30th, 31st January, 2023 and 1st February, 2023, between 11.00 a.m. and 2.00 p.m. and thereafter, as and when called.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper

with evidence.

(e) The applicant shall furnish the details of her residential address and phone numbers to the investigating officer.

(f) The statement made on behalf of the applicant is accepted as an undertaking to this Court.

8. The application is disposed of.

(M. S. KARNIK, J.)