



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

**BAIL APPLICATION NO. 1870 OF 2023
ALONG WITH
BAIL APPLICATION NO. 2165 OF 2023**

MANISH MANGALPRASAD TRIPATHI ..APPLICANT
VS.
STATE OF MAHARASHTRA ..RESPONDENT

Mr. Nazneen Khatri a/w Mr. Adil Khatri, Mr. Sagar Samel,
Mr.Nausheen Siddiqui, for the applicant.
Mr. N. B. Patil, APP for the State.
Mr.M.B.DhumaL-PSI, Bhowada Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 10, 2023

P.C. :

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

2. These are the applications for bail. So far as the Bail Application No. 1870 of 2023 is concerned, the offence is punishable under sections 308, 420, 419, 465, 467, 468, 471, 269, 270, 274, 275, 276, 201, 120B read with 34 of the Indian Penal Code, 1860, under sections 43 and 66(C) of the Information Technology Act and under section 3 of the Epidemic Diseases Act, under section 52 of the

Disaster Management Act, under section 27 of the Drugs and Cosmetic Act registered on 23/06/2021 vide C.R. No.312 of 2021 with Bhoiwada Police Station, Mumbai.

3. So far as the Bail Application No. 2165 of 2023 is concerned, the offence is punishable under sections 188, 268, 270, 274, 275, 276, 308, 419, 420, 465, 467, 468, 470, 471 read with 34 of the Indian Penal Code, 1860, under sections 43 and 66(C) of the Information Technology Act and under section 3 of the Epidemic Diseases Act, under section 18(A), 24, 27, 28(A) of the Drugs and Cosmetic Act registered on 01/07/2021 vide C.R. No.638 of 2021 with MIDC Police Station, Mumbai.

4. There are in all 14 accused. The applicant is the accused no.8 in BA/1870/2023 and accused no. 2 in BA/2165/2023. The applicant was arrested on 09/08/2021 in connection with BA/1870/2023 and on 03/09/2021 in connection with BA/2165/2023.

5. The accusations are that the accused administered fake vaccines to several persons. The applicant is incarcerated for more than 2 years. There are as many as 11 C.R.s registered against the present applicant. The applicant is already enlarged in several cases.

One such order is at page 921 of the paper-book viz. Bail Application No. 275 of 2022 with Bail Application No. 1121 of 2022 passed by this Court on 05/04/2023.

6. Learned APP opposed the application. However, having regard to the fact that the applicant is incarcerated for almost 2 years with no possibility of trial concluding any time soon and as the applicant has been enlarged on bail in other FIRs registered, the applicant can be enlarged on bail for the same reasons as in bail application no. 1121 of 2022. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Manish Mangalprasad Tripathi in connection with C.R. No. 312 of 2021 registered with Bhoiwada Police Station, Mumbai and also in connection with C.R. No. 638 of 2021 registered with MIDC Police Station, Mumbai shall be released on bail on his furnishing PR. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of

surety.

(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. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall attend the trial regularly.

(g) The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

7. The applications are disposed of.

(M. S. KARNIK, J.)