



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2924 OF 2023**

Manoj Pradip Taware	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Rupesh Zade with Ms. Priyanka Gupta, for Applicant.
Mr. M.G.Patil, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 19 OCTOBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.548 of 2023 registered with Bhigwan Police Station for the offences punishable under Section 384 of the Indian Penal Code.
3. The first informant is a civil contractor. A contract was awarded to him to lay an internal road at Baramati Agro Limited. The Applicant was working as a Site In-charge. The applicant allegedly extorted an amount of Rs.1,37,000/- from the first informant by giving threats that the quality of the work executed by the applicant was poor and he will report the same to the Management and the first informant would be black-listed.
4. The learned Counsel for the Applicant submitted that the first informant had lodged a report after about 6 months of the alleged payment. Except the amount

of Rs.20,000/- which was credited to the account of the applicant, rest of the amount was allegedly paid in cash. It was submitted that the said payment was made as the applicant had assisted the first informant in getting extra labour.

5. The learned APP, on the other hand, submitted that the account of the wife of the applicant indicates that an amount of Rs.56,000/- has been credited to the said account by the first informant.

6. The learned Counsel for the Applicant, on instructions, submitted that without going into the veracity of the allegations and without admitting the liability, the applicant is willing to deposit an amount of Rs.1,37,000/- before the learned Magistrate.

7. Prima facie, it appears that the applicant was to supervise the work of the first informant. In the FIR, the first informant does not allege that the amount was credited to the account of the wife of the applicant. Cash amount was allegedly paid to the applicant.

8. In any event, having regard to the nature of the accusation, the custodial interrogation of the applicant does not seem to be warranted to facilitate further investigation. The credit of the amount to the accounts of the wife of the applicant and the applicant are matters of record.

9. Since the applicant has shown willingness to deposit the allegedly extorted amount of Rs.1,37,000/- , I am inclined to exercise the discretion in favour of

the applicant.

9. Hence, the following order :

ORDER

(i) As undertaken, the applicant shall deposit an amount of Rs.1,37,000/- with the Judicial Magistrate, First Class, Indapur, exercising jurisdiction over the Bhigwan Police Station, within a period of four weeks.

(ii) Subject to the aforesaid deposit, in the event of the arrest of the Applicant – Manoj Pradip Taware in connection with C.R.No.548 of 2023 registered with Bhigwan Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall co-operate with the investigation and report to Bhigwan Police Station on 27th and 28th October 2023 in between 10.00 a.m. to 1.00 p.m. and, thereafter, as and when directed by the Investigating Officer.

(iii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The Application stands disposed.

(N.J.JAMADAR, J.)