

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2015 OF 2015**

Ruby Sanjay Bhoir

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Kedar J. Patil for the Applicant

Ms. S. D. Shinde, A.P.P for the Respondent-State

API Mr. Rajput from Nerul Police Station is present

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 29TH OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 312 of 2013 registered with the Nerul Police Station, Navi Mumbai, for the alleged offences punishable under Sections 363, 366(A), 367, 368, 370(5), 373 r/w 34 and 120(B) of the Indian Penal Code.

3. According to the prosecution, the daughter of the complainant – Noor Jahan Mohammad, aged 5 years was kidnapped on 4th November, 2014 at about 11.30 a.m., by some unknown persons, while she was playing in front of her hut. Accordingly, an FIR was lodged by her on the very same day i.e. 4th November, 2014. During the course of the investigation, the girl was found in the house of the present applicant on 18th January, 2015. Accordingly, the applicant was arrested on the very same day i.e. 18th January, 2015. After investigation, charge-sheet came to be filed as against Kishor Thakur and Salman Khan who are alleged to have kidnapped the girl – Chandani and handed over the said girl to the present applicant and her husband, who is accused No. 1. It also appears that there is another similar case being C.R.No.I-33 of 2015 registered with the Vashi Police Station with respect to kidnapping of a minor girl aged 3 years. In the said case, Kishore Thakur, Salman Khan, the present applicant and her husband were arrested.

4. Learned Counsel for the applicant states that the co-accused Sanjay Bhoir, who is her husband, has been enlarged on bail by this Court (Coram : Revati Mohite Dere, J.) vide order dated 20th August, 2015 passed

in Bail Application No. 1229 of 2015. He states the the allegations as against the applicant are identical to that of the co-accused Sanjay Bhoir who has been enlarged on bail.

5. Learned A.P.P does not dispute the fact that the role of the applicant is identical to that of co-accused Sanjay Bhoir, who has been enlarged on bail. Investigation is complete and charge-sheet is filed. The applicant is thus enlarged on bail on the ground of parity on the following terms and conditions:

ORDER

- i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- ii) The applicant shall attend the Nerul Police Station, Navi Mumbai, on the first Saturday of every month, between 10.00 a.m. to 11.00 a.m, for a period of 9 months from the date of her release;
- iii) The applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case ;
- iv) The applicant shall co-operate in the conduct of the trial.

6. The Application is allowed and disposed of in the above terms.
7. It is made clear, that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.
8. Parties to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.