

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3310 OF 2016

Farzana Begum W/o. Sk. Nabi .. Applicant

Vs.

The State of Maharashtra .. Respondent

.....

Mr. Shaikh Wajeed Ahmed, Advocate for the applicant
Smt. R.P. Gour, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.

DATE : 01/07/2016

ORAL ORDER :

Heard.

2. The applicant, who is mother of the main accused, is seeking pre-arrest bail in Crime no. 191 of 2016 registered at Nanalpeth Police Station, Dist. Parbhani for the offences punishable under section 376(2)(i), 506, 324 r/w. 34 of the Indian Penal Code and under section 3 and 4 of the Protection of Children From Sexual Offences Act.

3. The main accused in the matter, namely, Shaikh Aslam, is already arrested.

4. Perused the FIR and other investigation papers. I could hardly find any role attributed to the present applicant but for latching of the door. In my opinion, the applicant, being a woman, her custodial interrogation in the light of what has been stated in the FIR, is not necessary. Hence, the following order:-

5. In the event of the arrest of the applicant in Crime no.191 of 2016 registered with Nanalpeth Police Station, Dist. Parbhani for the offences punishable under section 376(2)(i), 506, 324 r/w. 34 of the Indian Penal Code and under section 3 and 4 of the Protection of Children From Sexual Offences Act, she be released on bail upon her executing P.R. bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand) with one surety in the like amount.

7. The applicant shall attend the concerned Police Station as and when called by the Investigating officer.

8. The applicant shall not tamper with the prosecution evidence or influence the witnesses in any manner.

9. During trial, the applicant shall co-operate with the Court below by not seeking unnecessary exemptions and shall not protract the trial.

10. Any attempt on the part of the applicant to protract the trial, if noticed by the learned Court below, it shall be open for the Court below to proceed with cancellation of bail of the applicant.

11. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-