

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 377 OF 2016

Pramila Devendra Singh @ Pushpa	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. B.R. Pandey i/b. Mr. Girish M. Agarwal, Advocate for the applicant.
Mrs. R. Ambekar, APP for the State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **17th March, 2016.**

P.C.:

This Application is moved for pre-arrest bail, as the applicant/accused is facing charges under sections 376, 328, 420, 452, 170, 504, 506, 427 of the Indian Penal Code in C.R. No. 626 of 2015 registered with Dahisar Police Station, Mumbai. The offence is registered at the instance of prosecutrix Deepali Arun Koli on 16th December, 2015.

2. The main accused is Kishor Singh, who is facing charges of rape and cheating. This applicant is the co-accused in the said offence and the allegations against her is that on 29th January, 2015 at around 10.30 a.m., the applicant/accused along with other female accused entered the house of the complainant and they represented that they are police and one of the co-accused informed the complainant that she is missing and therefore, the complainant is required to go to the police station. Then, they tried to find

out some documents in the house. The applicant/accused took out the bottle and threatened the complainant that if she would not go to the police station, then she would pour acid on her daughters. Thereafter the complainant along with her daughters was taken to Malad Police Station. There the complainant found that accused Kishor Singh has lodged missing complaint of the complainant.

3. The learned counsel for the applicant/accused has submitted that it is a false case against the applicant. The applicant was granted interim bail on 3rd March, 2016.

4. Learned APP relied on the FIR of the complainant. She submitted that the applicant/accused threatened the complainant of throwing acid on the face of her daughters. Learned APP produced printouts of the CCTV footage disclosing that applicant/accused was present in the house of the complainant.

5. Perused the FIR and the documents which are the relied and produced. Considering the contents in the FIR and the allegations made against the applicant/accused, I am of the view that custody of the applicant/accused is not required. Hence, I am inclined to grant pre-arrest

bail to the applicant/accused on the following terms and conditions:

ORDER

- i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.10,000/- with one surety;
- ii) The applicant/accused shall not tamper with the evidence or pressurize the complainant;
- iii) The applicant/accused shall not indulge into any criminal activity;
- iv) The applicants/accused shall cooperate the Investigating officer and shall attend the concerned police station on 22nd March, 2016 and 29th March, 2016 between 4 p.m. to 5 p.m.
- v) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

6. Anticipatory Bail Application stands disposed of on above terms.

(MRIDULA BHATKAR, J.)