IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.480 OF 2016
WITH
CRIMINAL APPLICATION NO.434 OF 2016

Zakiullah Nabban Siddiqui & Anr. .... Applicants

Vs.

The State of Maharashtra .... Respondent

Ms. Anjali Awasthi, Advocate for the Applicants.
Ms. S.S. Kaushik, APP for the State.
Mr. Ashish Dubey, Advocate for the Intervenor

Coram : N.W. SAMBRE, J.
Date : 5th December, 2016

P.C.

1 The applicants are seeking pre-arrest bail in C.R. No. 156/12, registered with Jogeshwari Police Station, for the offences punishable under Sections 354, 323, 341, 504, 34 Indian Penal Code read with 8 and 12 of the Prevention of Children from Sexual Offences Act.

2 The learned counsel for the applicants strenuously urged that apart from the fact that the incident took place out of dance competition, the background as narrated in the FIR

speaks of a competition between the two groups in the same college, which has resulted into giving rise to the present crime. She urged that the false implication cannot be ruled out. It is then claimed that the main accused is already released on regular bail and looking to the nature of the attribution against the applicants, custodial interrogation is not warranted.

3 The learned APP opposed the application.

4 Apart from the antecedents against the applicants, the applicants were part of a group wherein the prosecution has invoked Section 34 Indian Penal Code. The applicants have executed an alleged crime with a common intention. No case for bail is made out. The application fails and hence rejected.

5 In view of rejection of the Anticipatory Bail Application the Criminal Application does not survive, the same is accordingly disposed off.

(N.W. SAMBRE, J.)