

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1144 OF 2016

SABINA MUNNAF SHAIKH)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Madan Gupta i/b. Mr.M.J.Pabari, Advocate for the Applicant.

Mr.S.H.Yadav, APP for the Respondent – State.

Mr.Yunus Shaikh, A.P.I., Byculla Police Station, present in court.

CORAM : P N. DESHMUKH, J.

DATE : 11th AUGUST 2016

P.C. :

1 This application is filed by Sabina Shaikh apprehending her arrest in Crime No.358 of 2015 registered with Byculla Police Station on 3rd October 2015 for the offences punishable under Sections 307, 324, 323, 143, 144, 147, 148 and 149 of IPC.

2 Learned counsel for applicant by referring to the copies of charge-sheet has submitted that there is nothing to establish involvement of applicant in the present crime, except for two statements, one of Irfan Khan and another of Khalil Khan, which are recorded ten days after the incident and has submitted that in these statements applicant is falsely involved and infact complainant though had lodged report immediately after the incident, has neither involved

her in the report nor in her subsequent statement recorded on the following day.

3 Learned APP has not disputed about facts. Perused the FIR where from no involvement of applicant is found. Similarly, no name of applicant is stated by complainant in additional statement recorded on 4th October 2015.

4 Learned counsel for applicant has made a statement at bar that though Imran, Babulal, Khairul, Saeeda and Sonu were named by complainant in her additional statement, no charge-sheet is filed against them. It is also stated that these accused persons were also named by Irfan Khan and Khalil Khan, who as stated aforesaid, had implicated applicant after ten days.

5 Considering facts as aforesaid, and since investigation is complete, application is allowed by imposing condition upon applicant, as per order below :

- i) In the event of arrest of applicant in Crime No.358 of 2015 registered with Byculla Police station, she shall be released on bail on her executing P.R.Bond in the sum of Rs.15,000/- with one surety in like amount.
- ii) Applicant shall mark her presence with Investigating Officer as and when called.

(P. N. DESHMUKH, J.)