

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1825 OF 2016

Mr. Rashid Iqbal Ahmed Khan

... Applicant

vs.

The State of Maharashtra

... Respondent

Mr. Anand Patil i/by Sandeep Dere, for the applicant.

Mrs. N. S. Jain, A.P.P. for the State/respondent.

Coram : N. W. SAMBRE, J.

Date : 23rd November, 2016

P.C. :

1. The applicant is seeking pre-arrest bail in Crime No. 196 of 2016 for the offence punishable under Sections 498(A), 504, 506 r/w 34 of the Indian Penal Code registered on 27th September, 2016.
2. Perused the contents of F.I.R., which are based on stale instances with vague narration.
3. The marriage took place in the year 2013 and the complainant herself has stated that she left for her parental house in view of differences. It is also stated by her that she started residing with husband separately, away from other co-accused.

4. Mrs. Jain, the learned A.P.P. opposed on the ground that the custodial interrogation is necessary for recovery of stridhan and other articles.

5. Looking into the nature of allegations, in my opinion, the custodial interrogation of the applicant is not required. Apart from the fact that all the family members are impleaded as accused, it is claimed that complainant has received threats on phone as she herself has claimed that she was not residing with other accused persons. The case is made out by the applicant for grant of bail.

6. In view thereof, in the event of arrest the applicant be released on furnishing P. R. Bond of Rs.50,000/- with two sureties in the like amount on the following conditions :

- (i) The applicant shall furnish his mobile phone numbers and permanent place of abode to the Investigating Officer.
- (ii) He shall attend the Investigating Officer on Monday and Thursday for two consecutive weeks from next week and thereafter as and when called for.
- (iii) He shall not tamper the evidence and/or influence the witnesses.

[N. W. SAMBRE, J.]