

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

ANTICIPATORY BAIL APPLICATION NO.2004 OF 2016

Mr.Aslam Mapkhan Shah	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr.Milan Desai I/by Mr.T.R. Patel for the Applicant.
Smt.M.S. Jain, APP for Respondent-State.

CORAM : N. W. SAMBRE, J.

DATE : 28th NOVEMBER, 2016.

P.C.

1. The applicant is seeking pre arrest bail in Crime No.I-362 of 2016 registered with Nayanagar Police Station for the offences punishable under Sections 376(2)(n), 407, 507 of the Indian Penal Code.

2. The perusal of the FIR speaks of the alleged marriage between the complainant and the present applicant-accused. Once the complainants claims that she has married to the applicant-accused in the presences of about six persons on 26th August 2013, the allegation that the Nikhanamma is not discovered, is to implead the husband in the crime of rape. Prime-facie it could be inferred

that the custodial interrogation is not warranted in the above referred background. In my view the case of the grant of pre arrest bail has made out. In the event of the arrest the applicant be released on P.R. Bond of Rs.15,000/- with one or two sureties in the like amount.

3. The applicant shall attend the Investigating Officer on 05th, 08th and 13th December 2016 between 10.00 am to 12.00 noon thereafter as and when called for.

4. The applicant shall not tamper with the evidence and/or influence the witnesses in any manner whatsoever.

5. The applicant shall make himself available to the Investigating Officer for giving appropriate samples of blood and the other samples on the day and date as directed by the Investigating Officer and the other officers.

(N. W. SAMBRE, J.)