

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2033 OF 2016

Mr. Akram Ali Asgar Ali Khan

.....Applicant

V/s.

The State of Maharashtra
(At the instance of Deonar
Police Station)

.....Respondent

* * * * *

Mr. Tariq Khan, Advocate for the applicant.

Mr. Deepak Thakare, APP for the respondent, State.

P.I. Pol, present.

CORAM :- N.W. SAMBRE, J.

DATED :- 25th NOVEMBER, 2016.

P.C. :-

- 1). The applicant is seeking pre-arrest bail in Crime No. 103/2016 for an offence punishable under Section 304(B) read with Section 34 Indian Penal Code.
- 2). The present applicant was married to deceased, Yasmin on March 7, 2012. It appears that, there were differences which has resulted into registration of Crime No.60 of 2013 in which the applicant is already acquitted as deceased, Yasmin had supported

the present applicant in the said case.

3). In this background, while trying to make out a case for grant of bail, the learned Counsel for the applicant submits that the present complaint is with an intention to again falsely implicate the applicant and his family members in the case.

4). Perused the investigation papers. It could be inferred that there was divorce between the applicant and Yasmin as is reflected in the Khulanama dated 8th May, 2014. Apart from above, the fact remains that the applicant was acquitted in an earlier crime being Crime No. 60 of 2013.

5). In view thereof, in my opinion, custodial interrogation is not necessary. The Bail Application is allowed.

6). In the event of arrest, the applicant be released on P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one or two sureties in the like amount.

7). The applicant to attend the Investigation Officer on 5th and 8th December, 2016 between 10 to 12 a.m. and thereafter as and when called.

8). The applicant not to tamper the evidence and/or influence the witnesses in any manner whatsoever.

(N.W. SAMBRE, J)