

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.796 OF 2017

Smt.Vinita Bavesh Shah ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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Mr.Hemang Amar Jariwala i/b. Auroma Law, Advocate for the Applicant.

Ms.P.N.Dabholkar, APP for the Respondent/State.

Mr.Sachin Jadhwar, API, Kandivali Police Station, Mumbai is present in person.

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CORAM : A.M.BADAR J.

DATED : 4th DECEMBER 2017.

P.C. :

1 The applicant/accused in Crime No.35 of 2017 registered with Kandivali Police Station, Mumbai on 02/02/2017 for offences punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code at the instance of Minal Munish Shah, by this application is seeking pre-arrest bail.

2 Heard the learned Advocate appearing for the applicant/accused. He argued that the applicant is sister of husband of the First Informant. The learned Advocate further

drew my attention to the FIR and submitted that the present applicant had not been to the First Informant nor she has induced the First Informant to keep her cash and valuable with the present applicant.

3 As according to the learned Additional Public Prosecutor, there is no evidence available against the present applicant, custodial interrogation of the present applicant is not warranted and, therefore, the Order :

- (i) The application is allowed.
- (ii) The applicant/accused in Crime No.35 of 2017 registered with Kandivali Police Station, Mumbai on 02/02/2017 for offences punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code, in the event of of her arrest be released on bail on her executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.
- (iii) The applicant / accused should attend the concerned Police Station as and when required by the Investigating Officer by a written notice.
- (iv)The applicant/accused shall not directly or indirectly,

make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the Court or to the Police Officer.

- (v) As a condition of this Order, the applicant should not tamper with the prosecution evidence.

(A.M.BADAR J.)