

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1891 OF 2017

Abudlla Aziz Khan	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Pravin H.Padave i/b Mr.Ramesh Mishra for the applicant.
Ms. J.S.Lohokare, APP for the State.
Mr.Nilesh Patil API,P.S. Pawai, Thane

CORAM: A.M. BADAR, J.
DATED: 31st OCTOBER, 2017

PC:-

1. The applicant/accused in Crime No.267 of 2017 for the offences punishable under Sections 498-A, 406, 354-A, 504 and 506 r/w 34 of the Indian Penal Code by this application is seeking his release on bail in the event of his arrest by Police Station Pawai.

2. Heard the learned advocate appearing for the applicant as well as the learned APP.

3. Perused the First Information Report. Crime in question is registered on the basis of report lodged by Naba Arbaz Khan alleging cruelty, breach of trust as well as sexual harassment etc by accused persons. Out of 9 accused persons, except the present applicant all others are already granted anticipatory bail by the learned Additional Sessions Judge. The application of the applicant came to be rejected with an observation that the first informant has specifically stated that, when she was alone in the house on 25.1.2017, the present applicant came and threatened her and started moving his hand on her back.

4. The applicant is brother of mother-in-law of the first informant. The averments against him made by the first informant are to the effect that the present applicant visited her matrimonial house and threatened to her husband. It is further averred that then the applicant moved his hand on back of the first informant.

5. So far as the other Penal sections are concerned, prima facie, it is seen that there are no averments against the present applicant. Averments against him are in respect of the offence punishable under Section 354(A) of the Indian Penal Code which is bailable in nature. In this view of the matter, the following order:-

ORDER

- i) The application is allowed.
- ii) In the event of his arrest in Crime No.267 of 2017 for the offences punishable under Sections 498-A, 406, 354-A, 504 and 506 r/w 34 of the Indian Penal Code, Police Station, Pawai, the applicant/accused be released on bail on executing PR bond of Rs.15,000/- on furnishing surety in the like amount.
- iii) As a condition of this order, the applicant should attend the Police Station Pawai once in a week i.e on every Monday in between 5.00 p.m to 7.00 p.m. till filing of the

chargesheet and he should co-operate the investigating officer.

iv) The applicant shall inform his place of residence to the investigating officer and shall furnish address proof and contact number to him.

v) 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.

vi) The application is disposed of accordingly.

(A.M. BADAR, J)