

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO.2062 OF 2017**

Imran Taj Mohd. Bagwan & Ors. ... **Applicants**

V/s.

The State of Rajasthan & Ors. ... **Respondents**

....

Mrs.Seema Singh h/f. Mohd. I. Javed, Advocate for the Applicants.

Ms.A.A.Takalkar, APP for the Respondent/State.

Mr.K.J.Kadam, PSI, Santacruz Police Station, Mumbai.

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**CORAM : A.M.BADAR J.**

**DATED : 24<sup>th</sup> NOVEMBER 2017.**

**P.C. :**

1 Applicants, who are husband and in-laws of First Informant Samira, by this application, are seeking transit anticipatory bail in respect of offences punishable under Section 498-A, 406 read with Section 34 of the Indian Penal Code. The learned Advocate appearing for the applicants submitted that as per telephonic information of father of the First Informant, the offence has been registered against them at Tonk Police Station Rajasthan and, therefore, their liberty be protected in order to enable them to take necessary steps by approaching the concerned Court.

2           The learned Additional Public Prosecutor submits that the application is not accompanied by the FIR.

3           I have carefully considered the rival submissions.

4           What is sought for is the transit anticipatory bail in order to enable the applicants to approach the concerned Court. Offences alleged are reported to be under Section 498-A and 406 read with Section 34 of the Indian Penal Code. This Court is not dealing with the merits of this matrimonial offence. However, liberty of the applicants needs to be protected in order to enable them to take necessary steps in the matter. As such, the Order :

- (i) In the event of their arrest by Officers from Tonk Police Station, Rajasthan in respect of FIR lodged against them for offences punishable under Section 498-A, 406 read with Section 34 of the Indian Penal Code by Samira, for a period of two weeks from the date of this Order, the applicants/accused be released on bail on their executing P.R.Bond in the sum of Rs.15,000/- and on furnishing surety in like amount by each of them.
- (ii) As a condition of this Order, the applicants shall not tamper with the prosecution evidence.

(iii)The applicants/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.

(iv) The application is disposed with this Order.

**(A.M.BADAR J.)**