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

BAIL APPLICATION NO. 96 OF 2018

Smt Surajkaur Tarasingh Kalani

... Applicant

V/s.

The State of Maharashtra .

...Respondent

Mr. Ajaykumar B. Rai for Applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 13th FEBRUARY 2018.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in Sessions Case No.399 of 2015 arising out of CR No.I-16 of 2015 registered with Vashi Police Station, Navi Mumbai, under Sections 392, 397, 460, 414 of the Indian Penal Code and under Section 4, 25 of Indian Arms Act.

2] Heard the learned Counsel for the applicant and the learned APP.

3] The record indicates that the applicant is an accused in the aforesaid crime and was initially released on bail on 13.7.2015. It appears that the applicant did not attend the Trial Court on various dates and therefore non-bailable warrant was issued against her. According to the Investigating Agency the applicant was not found at the given address and therefore a non-bailable warrant could not be executed. The applicant thereafter surrendered before the concerned Court on 11.1.2017 and filed an application below Exhibit-75 for release on bail. The said application came to be rejected by the impugned Order dated 27.2.2017.

4] The record indicates that, the applicant has been granted regular bail by the Trial Court on 13.7.2015 and even after her surrender before the Trial Court in pursuance of non-bailable warrant on 11.1.2017, she is in jail for more than one year.

5] In view thereof, the applicant can be released on bail.

Hence the following Order:

(i) The applicant be released on bail in Sessions Case No.399 of 2015 arising out of CR No.I-16 of 2015 registered with Vashi Police Station, Navi Mumbai, on her furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After her release from jail, the applicant shall attend the concerned Police Station on every Monday of the month between 10.00 a.m. to 1.00 p.m and mark her presence till the conclusion of trial.

(iii) Before her release from jail, the applicant shall furnish her residential address and documents pertaining to it to the concerned Police Station.

(iv) Applicant shall also attend all dates before the Trial Court.

(v) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

6] Application is allowed in the aforesaid terms.

All the concerned to act on an authenticated copy of this Order.

(A.S.GADKARI, J.)