

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 559 OF 2018**

Jamila Nasir Shaikh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Vijay Upadhyay for the Applicant

Ms. J. S. Lohokare, A.P.P for the Respondent-State

API Mr. Ananda Vishnu Bagadi from Malvani Police Station is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 10th APRIL, 2018

P.C.

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 56 of 2018 registered with the Malvani Police Station, Mumbai, for the alleged offences punishable under Sections 363, 364(A), 342, 354(D), 366, 506 r/w 34 of the Indian Penal Code and under Sections 9, 10 and 11 of the Protection of Children from Sexual Offences Act.

3. Learned counsel for the applicant states that the applicant has not been named in the FIR and that the allegations are essentially as against co-accused-Sohail. He submits that even in the remand report, the applicant's name has not been disclosed.

4. Perused the papers. It appears and it is not disputed by the learned A.P.P that the victim has taken the name of the person, as she was present at the place where the incident took place. Learned A.P.P submits that apart from the same, there are no other allegations *qua* the applicant.

5. It appears that the applicant has reported to the Investigating Officer pursuant to the interim protection granted to her vide order dated 22nd March, 2018. Considering the role of the applicant, custodial interrogation of the applicant is not required. Hence, the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called;

(iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

(iv) The applicant to cooperate with the investigating agency;

6. The application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.