

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.932 OF 2018**

Mrs. Divkar Asra Shaukat

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Salman Khan for the Applicant.

Mr. Amit Palkar, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 23rd JULY 2018

P.C.:

1. This is an application under Section 438 of the Cr.P.C. for pre-arrest bail in C.R.No.I-105 of 2016 dated 09.04.2018 registered with Shanti Nagar Police Station, Bhiwandi, Thane under Sections 394, 397, 504 r/w.34 of the Indian Penal Code.
2. Heard the learned counsel for the applicant and the learned APP. Perused the record of investigation.
3. The prosecution case in brief is that on 09.04.2018 at about 12.40 a.m. (midnight of 08.04.2018) the informant received a phone call from a lady and requested him to repair her mobile phone on urgent basis. When the informant reached to his shop, he saw a lady standing there with veil on her face. As soon as the informant got down from his motorcycle, four other named accused persons

assaulted him and robbed Rs.53,000/- from his pocket.

4. The record indicates that the named accused persons have been arrested by the police and necessary recovery has been effected at their instance. The applicant has not been identified by any witness and the only allegation against the applicant is that she was standing at the scene of offence when the other accused persons committed robbery.

5. After perusing the record of investigation, this Court is of the view that the custodial interrogation of the applicant for further investigation of crime is not necessary.

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

Hence, the following order.

a) The applicant be released on bail in C.R.No.I-105 of 2016 dated 09.04.2018 registered with Shanti Nagar Police Station, Bhiwandi, Thane on her furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

b) The applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)