

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2451 OF 2017

Siraj Moiuddin Shaikh vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Arun Rajput i/by Anjali Patil for the applicant.
Mrs. A.A.. Takalkar, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 22nd February, 2018

P.C.

1. This is an application under Section 439 of the Cr.P.C. for bail in CR No. 289/2017 dated 6.7.2017 registered with Nagpada Police Station, Mumbai under Sections-376, 343, 506 of the Indian Penal Code.
2. Heard the learned counsel for the applicant and the learned APP for the State. Perused the charge sheet.
3. It is the prosecution case in brief that, the applicant deceitfully took the victim girl to his residence and illegally detained her and thereafter committed forcible rape upon her. During the course of investigation the applicant came

to be arrested on 6.7.2017 and after completion of investigation, the police have submitted charge sheet.

4. The statements of neighbours which are on record indicates that, the first informant along with the wife of the applicant used to go to work together. Upon inquiry with the wife of the applicant they were informed that the first informant is a relative of the applicant and they used to go together for work. It further clearly appears that the alleged place wherein the victim girl was illegally detained is situated in a densely populated area and the witnesses do not support the version of illegal detention of the first informant. In her supplementary statement the first informant has stated that, she had earlier i.e. from 2012 to 2015 was in the vocation of prostitution and she came to know that the wife of the applicant is also indulging in the vocation of prostitution.

5. In view of the above, the applicant can be released on bail.

Hence, the following order.

a) The applicant be released on bail in CR No.

289/2017 dated 6.7.2017 registered with Nagpada Police Station, Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

b) After his release from Jail, the applicant shall attend the concerned Police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m.

c) The applicant shall attend all the dates before the Trial Court unless precluded on medical reasons.

d) Any two consecutive defaults in complying with the afore stated conditions will attract the provisions of cancellation of bail.

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

f) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)