

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2274 OF 2018

Smt.Jyotsna Biswanath Das, Age 68 years,
R/o.163/C, Om Sat Niwas, 3rd Floor,
Room No.13, Opp.Parsi Gymkhana,
Dr.Ambedkar Road, Dadar (East),
Mumbai-400 014.
Presently residing at 3, 2nd Floor, Plot No.17,
ABC, Anand Niwas, T.H.Kataria Marg,
Mahim, Mumbai-400 016.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Sujay Gawade with Ms.Amita Dubey I/by Shree & Co. for
applicant.

Mr.A.R.Kapadnis, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 31st October 2018

PC :

1. This is an application for anticipatory bail in connection with CR No.33 of 2018 registered with D.B.Marg Police Station for offences under Sections 3, 8(1),(2),(3) and (4) of Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Rooms and Protection of Dignity of Woman (Working Therein) Act, 2016 r/w Section 131 of Bombay Police Act.

2. The applicant had preferred an application for anticipatory bail before the Sessions Court which is rejected. During pendency of the said application, interim protection was granted to the applicant by order dated 12th September 2018. The applicant was directed to co-

operate with the investigating agency and attend the investigating agency as and when required. The applicant was also directed to furnish her phone number and proof of residential address as well as identification proof to the investigating officer and to report any change in the same. While rejecting the said application learned Sessions Judge has observed that the applicant did not comply with the directions to attend the police station. The advocate for applicant submitted that the applicant had suffered stroke and paralysis. The advocate for applicant submits that the applicant is undergoing medication. It is further submitted that the applicant is 68 years old lady. As soon as she recovers within two weeks, the applicant is willing to attend police station.

3. Learned APP submits that conditions stipulated in the order were not complied by the applicant. After she recovers she may be directed to attend police station as stipulated in the order of Sessions Court.

4. Taking into consideration aforesaid circumstances, case for grant of anticipatory bail is made out on certain conditions. This protection is granted to applicant considering that there was direction to attend police station during pendency of application before Sessions Court and that the applicant is aged about 68 years and suffering from ailment. Hence, I pass following order :

ORDER

(i) In the event of arrest of applicant in connection with CR No.33 of 2018 registered with D.B.Marg Police Station, Mumbai, the applicant may be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

- (ii) The applicant shall attend the investigating officer of D.B.Marg Police Station, Mumbai after a period of two weeks from the date of this order;
- (iii) The applicant shall attend the police station on 15th November 2018 between 11 am to 2 pm;
- (iv) Criminal Anticipatory Bail Application No.2274 of 2018 stands disposed off.

(PRAKASH D. NAIK, J.)

MST