

Dond

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

ANTICIPATORY BAIL APPLICATION NO.2252 OF 2017

1] Mrs. Durga Veersingh Sisodiya
2] Manav alias Monu Veersingh Sisodya **.....Applicants**

V/s.
The State of Maharashtra **... Respondent**

Ms. Sushma Mishra for applicants.
Ms. A.A. Takalkar, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 4th JANUARY 2018.

P.C.:

1] The applicants are apprehending arrest in CR No.I-273 of 2017 dated 17.09.2017 registered with Vartak Nagar Police Station, Thane under Sections 363, 366, 366(a), 354(d) of the Indian Penal Code and under Section 8 and 12 of the Protection of Children From Sexual Offences Act (POCSO Act).

2] Heard the learned Counsel for the appliance and the learned APP. Perused the chargesheet.

3] The first information report is lodged by Shri Ramdev Waghela,

father of the victim girl Miss Gita who was aged about 17 years at the time of alleged incident.

It is the prosecution case in nutshell that, the principal accused namely Atul Sisodiya was having an affair with the victim girl and was pestering her for performing marriage with him. On 16.09.2017, the accused No.1 Atul Sisodiya induced victim girl Miss Gita and lured her to elope with him to the State of Uttar Pradesh. The accused No.1 Atul has been arrested by the police. After completion of investigation, the police have submitted chargesheet on 30.11.2017.

4] The applicant No.1 is the sister and applicant No.2 is the brother of accused No.1 Atul Sisodiya respectively. That the victim girl Miss. Gita, in her statement dated 2.10.2017 has attributed to the applicants the role that the applicants along with principal accused Atul induced her to elope with accused no.1 Atul.

5] After perusing the chargesheet, prima facie it appears that apart from the said allegation, there is no overt-act attributed to them even by the victim girl in her statement. In view thereof, this Court is of the view that the applicants deserve to be protected by pre-arrest bail.

Hence, the following Order:

(i) In the event of arrest in CR No. I-273 of 2017 registered with Vartak Nagar Police Station, Thane, the applicants shall be released on bail on their furnishing PR Bond in the sum of Rs.25,000/- each with one or two separate solvent local sureties in the like amount.

(ii) Applicants shall not tamper with the evidence and/or influence the prosecution witnesses.

6] Stand over to 29th January 2018.

(A.S.GADKARI, J.)