

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.69 OF 2019

Mrs.Sabinakhatun Imran Hasmi, Age 35 years,
Occ.Housewife, R/o.Nai Munshi Chawl,
Near chandiwali Petrol Pump,
Adarsh Nagar Rahivashi Sangh, Chandivali,
Sakinaka, Mumbai-400 072.

Applicant

versus

The State of Maharashtra

Respondent

Mr.A.N.Pathan for applicant.

Mr.S.R.Agarkar, APP, for State.

Mr.Yash Palve, PSI, Powai Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 16th January 2019

PC :

1. This is an application for anticipatory bail in connection with CR No.36 of 2018 registered with Powai Police Station, Mumbai under Sections 324, 326, 143, 145, 147, 148, 149 r/w 34 of Indian Penal Code. The case of the prosecution is that the FIR was lodged on 17th January 2019 alleging that the complainant was assaulted by persons who are named in the FIR. The specific overt act has been attributed to the said persons for assaulting the complainant. The FIR does not show name of applicant as a person who was either present at the scene of offence or for participating in the crime. It appears that the applicant's involvement is disclosed in subsequent statement. No role of assaulting the complainant by the applicant is attributed in the FIR.

2. Learned APP pointed out injury certificate in respect to the injuries sustained by the complainant. However, on perusal of the FIR it can be seen that neither the applicant was present at the scene of offence nor he participated in the crime.

3. Considering the circumstances, on certain terms and conditions, anticipatory bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) In the event of arrest of applicant in connection with CR No.36 of 2018 registered with Powai Police Station, the applicant be released on bail on furnishing PR bond in the sum of Rs.15,000/- with one or more sureties in the like amount;
- (ii) The applicant shall report the investigating officer of Power Police Station on 24th and 25th January 2019 between 11 am and 1 pm, and thereafter as and when called for till filing of charge sheet;
- (iii) Criminal Anticipatory Bail Application No.69 of 2019 is disposed off.

(PRAKASH D. NAIK, J.)

MST