

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

CRIMINAL BAIL APPLICATION NO. 255 OF 2019

Mrs. Swati Sani Awhad	... Applicant
Vs.	
The State of Maharashtra	... Respondent

...

Mr. Sachin Chandan for the applicant.
Mr. Prashant Jadhav, APP for the Respondent-State.
Mr. R.S. Gavle, Khadakpada Police Station is present.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 15th FEBRUARY, 2019.**

P.C.

1. This is an application for bail in connection with C.R. No. 370 of 2018 registered with Khadakpada Police Station for the offence punishable under Sections 354, 323, 294, 427, 504, 506 read with 34 of Indian Penal Code. First Information Report was lodged on 1st November, 2018.

2. It is alleged that the complainant had obtained loan from one Nityanand Naidu @ Baba Naidu in the year 2015 and the amount was returned to the said person. However, he was demanding more money. On 1st November, 2018, the applicant and other accused entered into the cabin of the complainant, she

was abused in filthy language. Applicant had allegedly torned her clothes. Hence, the First Information Report was lodged.

3. Learned counsel for the applicant submitted that applicant is a lady and since is in custody from the date of arrest. Learned counsel for the applicant submitted that section 354 of Indian Penal Code is not attracted in this case.

4. Learned APP submitted that CCTV footage shows the presence of the applicant at the place of incident.

5. I have gone through the documents on record. It is apparent from the statement of the complainant that applicant had entered into the cabin of the complainant and torned her clothes. Investigation is completed and chargesheet has been filed. Applicant is lady, further detention of the applicant is not necessary. Hence, bail can be granted to the applicant by imposing certain conditions. Hence, I pass the following order.

ORDER

- i. Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in C.R. No.370 of 2018 registered with Khadakpada Police Station, on furnishing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

- iii. Applicant is permitted to furnish cash security in the sum of Rs.20,000/- for a period of eight weeks;
- iv. Applicant shall attend the trial Court on the date of hearing regularly unless exempted by the trial Court;
- v. Criminal Bail Application is disposed off.

(PRAKASH D. NAIK, J.)