

Anand

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

BAIL APPLICATION NO. 1139 OF 2019

Kavita Narsaya Chitiyala .Applicant

Vs.

The State of Maharashtra .Respondent

**WITH
BAIL APPLICATION NO. 1409 OF 2019**

Suvarna Shrinivas Kopula .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. S. Waskar, Advocate, for the Applicant No. 2 **in B. A. No. 1139 of 2019**

Mr. R. Deshpande i/b. Mr. V. S. Thakur, Advocate, for the Applicant **in B. A. No. 1409 of 2019**

Mr. V. V. Gangurde, APP, for the Respondent – State **in both matters**

CORAM : REVATI MOHITE DERE, J.

DATE : 11.06.2019

P.C.

. At the outset, learned counsel for the Applicant appearing in B. A. NO. 1139 of 2019 seeks leave to delete the name of the Applicant NO. 1 – Suvarna Kopula from the array of

the Applicants, as the said accused has filed a separate Application, being B. A. No. 1409 of 2019 through another Advocate. In view of the same, learned counsel for the Applicant in B. A. No. 1139 of 2019 to forthwith delete the name of the Applicant No. 1 – Suvarna Kopula from the array of the Applicants.

2. Heard learned counsel for the Applicants.

3. By these Applications, the Applicants seek their enlargement on bail in connection with C. R. No. 610 of 2018 registered with the Kasturba Marg Police Station, Mumbai, for the alleged offences punishable under Section 370 r/w 34 of the Indian Penal Code r/w under Section 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

4. Perused the papers. According to the prosecution, the Complainant had received an information from the Community Development Trust Child Line on 07.12.2018 that one person by the name – Akila Shaikh was about to sell her child near the

Metropolitan Magistrate's Court, Borivali. Pursuant to the same, the police went near the Metropolitan Magistrate's Court, Borivali and surrounded the accused. Learned counsel for the Applicant state that the Applicants are in no way connected with the alleged sale of child by Akila Shaikh to one Laxmi Uthnuri. He submits that the Applicants were only present when the police surrounded them, as the Applicants had accompanied Akila Shaikh. The Applicants are ladies and are in custody since 07.12.2018. The Applicants have no antecedents.

5. Considering the aforesaid, the Applications are allowed and the Applicants are enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicants be enlarged on bail, on executing P.R. Bond in the sum of Rs. 10,000/- each with one or two sureties in the like amount;

(ii) The Applicants shall not tamper with the evidence or attempt to influence or contact the Complainant, witnesses or any person concerned with the case;

(iii) The Applicants shall inform their latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The Applicants to cooperate with the conduct of the trial.

6. The Applications is allowed in the aforesaid terms and is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)