

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

CRIMINAL BAIL APPLICATION NO. 2021 OF 2018

Shahnazbi Mohiddin Shaikh ... Applicant
Vs.
The State of Maharashtra ... Respondent

...

Mr. Tarun Kumar Sinha for the applicant.
Mrs. G.P. Mulekar, APP for the Respondent-State.

...
CORAM : PRAKASH D. NAIK, J.
DATE : 30th JANUARY, 2019.

P.C.

1. This is an application for bail in connection with C.R. No. I-136 of 2017 registered with Sanpada Police Station for the offence punishable under Sections 454, 457, 380, 401, 411, 414, 465, 468, 471, 473, 120(B), 308 34 of Indian Penal Code. Subsequently, the provisions of MCOC Act 3(1)(2), 3(2), 3(4) of MCOC Act were complied.

2. Applicant was arrested on 21st November, 2017. Investigation is completed and chargesheet has been filed.

3. Case of the prosecution is that accused were involved in commission of bank robbery. Accused had constructed tunnel from gala and had reached strong room of the bank and committed

robbery. Applicant's husband is one of the accused who was arrested in this case. It is submitted that the said accused had expired during the pendency of trial. It is the case of the prosecution that out of the sale-proceeds of ornaments, the amount to the tune of Rs.6,50,000/- was allegedly recovered at the instance of the applicant from her residential premises. Except that there is no other evidence to show the complicity of the crime. The amount was purportedly handed over by husband of applicant.

4. Applicant is not member of the organized crime syndicate. Amount was recovered from the house of applicant. It is pertinent to note that husband of the applicant was arrested in the said case allegedly the proceeds of sale of ornaments were kept by him in the premises. Applicant is in custody from the date of arrest. Considering the aforesaid circumstance and nature of offence, the rigors of Section 21(4) of MCOC Act would not cause any impediment to grant the bail to the applicant. Hence, I pass the following order.

ORDER

- i Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in connection

with C.R. No. 136 of 2017 registered with Sanpada Police Station which is subject matter of MCOC Special Case No. 6 of 2018 pending in the Special Court at Thane on furnishing P.R. Bond in the sum of Rs.20,000/- with one of more sureties in the like amount;

iii. Criminal Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)