

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2299 OF 2019

Salimunnisa Ahmed Husain

Ansari

...Applicant

V/s.

The State of Maharashtra

....Respondent

Ms. Jayshree Tripathi, Advocate for the applicant.

Mrs. Sharmila Kaushik, APP for State.

API, Mr. Durgesh Dube, Shanti Nagar Police Station,
Bhivandi present.**CORAM : SANDEEP K. SHINDE, J.****Tuesday, 19th November, 2019.****P.C. :**

1. Apprehending arrest in Crime No. I-844 of 2019 for the offences punishable under Sections 304, 338 read with Section 34 of the Indian Penal Code registered with Shantinagar Police Station, Bhiwandi, Thane, the applicant has applied for pre-arrest bail.

2. It is alleged that, the applicant's son

constructed unauthorised building and sold the flats therein to various persons. The building was declared dilapidated and dangerous by the Corporation. On 23rd August, 2019 occupants were evacuated by the Fire Brigade of the Corporation. Some of the occupants died in the mishap as they went in the building to collect their belongings. On reporting of these facts, the crime came to be registered. The applicant's son is in custody.

3. The applicant is 65 years old. Prosecution submits that, she is owner of the plot on which the building was constructed by her son. Learned APP submits, on instructions, that the applicant has attended the Police Station and co-operated in investigation.

4. In view of the nature of accusations and taking into consideration, the age of the applicant, the application is allowed.

5. In the event of the arrest of the applicant

in C.R. No. I-844 of 2019 registered with Shantinagar Police Station, Thane, she be released on bail on executing P.R. Bond of Rs.20,000/- (Rs. Twenty Thousand only) with one or more sureties in the like amount.

5. The applicant shall report to the Investigating Officer as and when called.

6. The applicant shall furnish the particulars of his latest place residence and mobile contact number and/or change of residence or mobile details, if any, to the Investigating Officer of the Police Station concerned within seven days from today;

7. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

(SANDEEP K. SHINDE, J.)