

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2775 OF 2018

Tajuddin Abdul Gani Khan, Age 48 years,  
Occ.Business, r/o.301, Pragati House,  
Khoja Galli, Versova, Andheri (W),  
Mumbai-400 061.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Pramod S. Kumbhar for applicant.

Mr.Prashant Jadhav, APP, for State.

Mr.Sanjay Pawar, Police Inspector, Versova Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 11<sup>th</sup> February 2019

PC :

1. This is an application under Section 439 of Code of Criminal Procedure Code, 1973 for bail in CR No.103 of 2018 dated 4<sup>th</sup> March 2018 registered with Versova Police Station, Mumbai under Section 370 r/w Section 34 of Indian Penal Code.

2. It is alleged that two minor girls from Gujarat State were brought to Mumbai for taking them to America. On receiving information from Control Room, Police visited Shringar Salon at Versova and found two minor girls. On inquiry one of the girl disclosed that her parents are in America. The applicant and other accused were apprehended. The prosecution case is that accused tried to take girls out of India. The police averted the said crime after receipt of specific information. It is the case of prosecution that on the passports issued in favour of children of applicant, girls were

to travel to United States of America and due to prompt diligence of police, the said act could not be completed. Learned counsel for applicant submitted that the applicant is suffering from ailment of kidney and he is hospitalized in J.J.Hospital and undertaking treatment for the same.

3. The record indicates that it was an attempt on the part of applicant along with other accused persons to send the said two girls to America. As noted earlier, it was averted by police due to their prompt action. The applicant is in jail since 4<sup>th</sup> March 2018. The police have already completed investigation and submitted charge sheet. The co-accused Rizwan Chhotani, Afzal Shaikh, Aamir Khan were granted bail by this Court.

4. Considering aforesaid facts, case for grant of bail is made out. Hence, I pass following order :

#### **ORDER**

- (i) Criminal Bail Application No.2775 of 2018 is allowed and disposed off;
- (ii) The applicant is directed to be released on bail in connection with CR No.103 of 2018 registered with Versova Police Station on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend Versova Police Station once in a month on every first Saturday between 10 am and 12 noon till further orders;
- (iv) The applicant shall attend the Trial Court proceedings regularly, unless exempted by the Trial Court for some reason;

- (v) The applicant shall not tamper with evidence and/or pressurize prosecution witnesses;
- (vi) The applicant is permitted to furnish cash security in the sum of Rs.25,000/- for a period of six weeks.

(PRAKASH D. NAIK, J.)

MST