

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3049 OF 2018

Shirin Xavier Xavious, Age 30 years,
Occ.Travel Agency and Manpower Recruitment,
At Trivandrum and R/o.At Asantha House,
Pulluvila P.O; Trivendrum, Kerala State.

Applicant

versus

The State of Maharashtra

Respondent

Mr.S.L.Mhatre for applicant.
Mr.S.R.Agarkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 1st March 2019

PC :

1. This is an application for bail. The applicant is arrested in CR No.184 of 2018 on 13th June 2018. The FIR was registered with Sahar Police Station for offence under Sections 370, 465, 468, 471, 420 r/w 34 of Indian Penal Code.

2. The case of prosecution is that on 13th June 2018, the Airport Officer and Security Officer of Sahar International Airport while viewing the CCTV footage noticed around 8 to 10 persons behaving in tense manner. They were signaling an agent who was standing at a distance. Four persons were about to board a flight to Bangkok, which was connected to Australia. When the boarding passes of these passengers were checked, it was found that boarding passes were for flight No.9W062 to Bangkok and the same were forged. The accused tried to send passengers on forged documents to Australia after obtaining money from them.

3. The applicant had preferred an application for bail before Sessions Court which was rejected by order dated 22nd October 2018.

4. Learned counsel for applicant submitted that Section 370 of Indian Penal Code is not attracted in this case. The applicant is in custody from 13th June 2018. Further detention is not required. The investigation is completed and charge sheet is filed.

5. Learned APP submitted that the applicant is involved in serious offences. The applicant is the beneficiary of crime. The amount is also deposited in the account of applicant. The applicant and his associates had obtained money from persons towards expenses of visa and air tickets. Bogus visa and boarding passes were provided to the passengers. The offence is of serious nature.

6. I have perused the charge sheet. The complicity of applicant is apparent from the statements of witnesses recorded during the course of investigation and the documents collected by investigating machinery. Prima facie, it appears that the applicant and others had obtained amount from eight persons under the garb of obtaining visa and air tickets for them for going abroad. They attempted to send them to abroad on forged visa and forged boarding passes.

7. Considering the role played by the applicant, no case for grant of bail is made out. Hence, I pass following order :

ORDER

(i) Criminal Bail Application No.3049 of 2018 is rejected.

(PRAKASH D. NAIK, J.)