

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.504/2019

Ishrat Parveen w/o Shaikh Gaffar

..VS..

State of Mah., thr. its Police Station Officer, Police Station Akot File, District
Akola

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

Shri N.R.Tekade, Counsel for the Applicant.
Shri V.A.Thakare, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : AUGUST 27, 2019.

1. Heard learned counsel Shri N.R.Tekade for the applicant and learned Additional Public Prosecutor Shri V.A.Thakare for the State.

2. The applicant is a lady. She is apprehending her arrest in connection with Crime No.208/2019 registered with Akot File Police Station, District Akola for offences under Sections 363, 354, 504, and 506 read with Section 34 of the Indian Penal Code and under Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

3. First Information Report is lodged by Faimidabi Shaikh Jamir, the mother of victim. As per the first informant, she asked her daughter, the victim, to purchase grocery. Since she did not return, the first informant went to grocery shop. That time, victim was found to be talking with

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co-accused. In the First Information Report, name of the present applicant is not figuring.

4. On 23.8.2019, this Court, in Criminal Application No.549/2019, already released co-accused Shabana Bano wd/o Shaikh Salim on bail. While releasing her on bail, it was observed by this Court, after perusing reply in the said application filed by co-accused Shabana Bano wd/o Shaikh Salim, medico-legal examination of the victim was tried to be conducted, however consent was not offered. Consequently, it was not done.

5. In view of the fact that name of present applicant is not appearing in the First Information Report and there is no *prima facie* evidence at this stage, in my view, the present application of the applicant for grant of anticipatory can be granted. Hence, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) In the event of arrest of applicant-Ishrat Parveen w/o Shaikh Gaffar, in connection with Crime No.208/2019 registered with Akot File Police Station, District Akola for offences under Sections 363, 354, 504, and 506 read with Section 34 of the Indian Penal Code and under Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012, she be released on bail on she executing a P.R.Bond in the sum of Rs.10,000/- with one solvent surety of the like

amount.

(iii) The applicant is directed to attend the police station as and when she is called by Investigating Officer till filing of chargesheet, however Investigating Officer shall give her a 3 days' clear cut written communication.

JUDGE

!! BRW !!

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