

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

CRIMINAL APPLICATION (ABA) NO. 154 OF 2020

**(Sau. Komal Kiran alias Amar Lende vs. The State of Maharashtra thr. P.S.O., P.S. Anjangaon
Surji, District Amravati)**

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

Court's or Judge's orders.

Shri S.V. Sirpurkar, Advocate for the applicant.
Shri Amit Chutke, APP for the non-applicant / State.

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CORAM : PUSHPA V. GANEDIWALA, J.
JULY 24, 2020.

Heard Shri Sirpurkar, learned counsel for the applicant and Shri Chutke, learned Additional Public Prosecutor for the State through Video Conferencing.

The applicant apprehends his arrest in Crime No. 82/2020 for the offence punishable under Section 380 of the Indian Penal Code registered at Police Station Anjangaon Surji, District Amravati.

I have perused the application, affidavit-in-reply filed on behalf of the State and the case diary with the assistance of the learned Counsel for the applicant.

The case diary does not reveal any direct eye witness on the point that the present applicant

committed theft of gold chain worth Rs. 18,000/- from the house of the informant.

As per Prosecution story, the informant and the witnesses have seen the applicant entering the house of the informant and opening the box in which the jewellery was kept.

A perusal of the case diary does not reflect any *prima facie* case for the alleged offence against the present applicant.

Considering the allegations and the value of the chain and the applicant being a lady, she deserves pre-arrest protection. Hence, the following order :

In the event of arrest of the applicant in Crime No. 82/2020 for the offence punishable under Section 380 of the Indian Penal Code registered at Police Station Anjangaon Surji, District Amravati, he be released on interim bail on execution of Personal Bond in the sum of Rs. 15,000/- (Rs. Fifteen thousand only) with one solvent surety in the like amount.

The applicant shall co-operate during investigation and make available herself as and when required by the Investigating Officer.

The applicant shall not give threats to the witnesses or tamper with the evidence.

The applicant shall not leave her local jurisdiction without prior intimation to the concerned police station.

The criminal application is allowed and stands disposed of accordingly.

This order be communicated to the counsel appearing for the parties, either on the e-mail address or on Whats app or by such other mode, as is permissible in law.

JUDGE

D.S. Baldwa