

PMB

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2686 OF 2019

Neelam Amit Babar and anr. .. Applicants
vs.

The State of Maharashtra .. Respondent

Ms. Rekha Musale I/b. Meraki Legal for the Applicants.

Mr. N.B. Patil, APP for the State.

Mr. Sangram Laxman Bhutale, Police Constable, Karad City Police Station, Satara is present.

CORAM : M.S.KARNIK, J.

DATE : SEPTEMBER 30, 2021

P.C.:-

Heard learned counsel for the parties.

2. This is an Application for pre-arrest bail in respect of an offence punishable under Sections 307, 452 and 109 of Indian Penal Code, 1860 registered as FIR No.827 dated 04.11.2018 of the Karad City Police Station.

3. The assailant is co-accused Ajay. The Applicant No.1 is Ajay's sister and the Applicant No.2 is Ajay's mother. The victim is 14 years of age. The FIR is filed by the mother of the victim.

In the FIR it is alleged that the Applicants and the co-accused Ajay as well as the complainant were residing in a slum. The complainant had paid a sum of Rs.25,100/- for obtaining the water connection from the Corporation. The amount was paid on behalf of everybody and even the Applicants were to contribute to the extent of their share. However, the Applicants did not pay anything.

4. On 04.11.2018, the victim who is 14 years of age was all alone in the house. The co-accused Ajay entered the house and objected to the victim interacting with male friends. Ajay assaulted the victim with means of a sharp object and in the process slashed both wrists of the victim. It is the allegation that at the relevant time, the Applicants were standing outside the house. The statement of the victim, though mentions about the assault by Ajay, except for indicating that the Applicants were standing outside the house, there is nothing to show that they are involved in the crime in any manner. The Applicants are women. The custodial interrogation of the Applicants is therefore not required. The Application deserves to be allowed. Hence, the following order :-

ORDER

- (i) The interim protection granted by this Court on 11.12.2019 stands confirmed.

(ii) In the event of arrest of the Applicant in connection with C.R. No.827 of 2019 registered with Karad City Police Station, District Satara, the Applicants be released on bail on their furnishing P.R. bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.

(iii) The Applicants shall attend the Investigating Officer as and when called.

5. The Anticipatory Bail Application is disposed of.

(M.S. KARNIK, J.)