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

CRIMINAL BAIL APPLICATION NO. 975 OF 2021

AHOMO EFE HELEN AND ANR

....APPLICANTS

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Yashpal Thakur advocate for the Applicants

Mrs. Rutuja Ambekar APP for the State

Ms. Manisha Jagtap for E.D.

CORAM : NITIN W. SAMBRE, J.

DATE: 21st OCTOBER, 2021.

P.C.:

1] Applicants are seeking bail in C.R. No. 385/2020 registered with Vashi Police Station for offence punishable under Sections 188, 269, 270 r/w 34 of the Indian Penal Code, Section 3 of The Epidemic Diseases Act, Section 12 of The Passports Act, 1967, Section 14(a) of The Foreigners Act and Section 65(e) of Maharashtra Prohibition Act. Applicants were arrested on 05/12/2020 and charge-sheeted on 08/02/2021.

2] Case of the prosecution is, applicant overstayed in the receiving country i.e. India without valid Visa.

3] I am informed that co-accused is already ordered to be released on regular bail in this crime by an order of Magistrate dated 28/07/2021.

4] This Court on last occasion, having regard to the Judgment of the Goa Bench in the matter of Suo Motu Petition No. 1 of 2019 has called upon the Chief Secretary of State of Maharashtra so also counsel for Union of India to submit its response/compliance in view of directions issued in the aforesaid judgment.

5] Counsel for Union of India informs that framing of policy is under process in view of the aforesaid Judgment and relevant statistics are being collected. It is further informed that same is likely to take sometime.

6] In the aforesaid background and having regard to the fact that

other co-accused is already ordered to be released on bail, in my opinion, applicant also deserves similar relief.

(i) Applicants be released on bail in C.R. No. 385/2020 registered with Vashi Police Station for offence punishable under Sections 188, 269, 270 r/w 34 of the Indian Penal Code, Section 3 of The Epidemic Diseases Act, Section 12 of The Passports Act, 1967, Section 14(a) of The Foreigners Act and Section 65(e) of Maharashtra Prohibition Act, upon furnishing P.R. bond in the sum of Rs. 50,000/- each with one or more local sureties in the like amount.

(ii) Applicants shall neither influence the prosecution witnesses in any manner nor tamper with the evidence.

(iii) Applicants shall attend the concerned police station on every third day till appropriate Visa is issued to the applicants.

(iv) Applicants shall not leave India without prior permission of the Court below.

7] Application stands disposed of.

[NITIN W. SAMBRE, J.]