

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

**BAIL APPLICATION NO. 1501 OF 2021**

Banubi Ismail Sayyed ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. R. A. Shaikh a/w Mr. Tausif Ansari, Advocate for the Applicant.

Ms. M. R. Tidke, APP for the Respondent – State.

Mr. Ravindra Wani ( P. S. I.) Antop Hill Police Station, Present.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 5<sup>th</sup> APRIL, 2021**

**PER COURT:**

1. This is an application for bail. The applicant is arrested in connection with C.R. No. 145 of 1992 registered with Antop Hill Police Station for offences under Section 498-A, 304(B) & 306 r/w Section 34 of Indian Penal Code.

2. It appears that the applicant was granted bail in the aforesaid case. However, since 2003, the applicant did not appear before the trial Court. The non-bailable warrant was issued against her and she was arrested on 26<sup>th</sup> February, 2021. It is contended that the applicant is senior citizen aged about 69 years. After grant of bail she had shifted to Gujarat. The applicant and her son were confused

about pendency of the proceedings and did not appear before the trial Court. The applicant and her son were arrested and both of them are in custody.

3. Learned APP submitted that for long period of time, the applicant was not available. If bail is granted to the applicant she may abscond again.

4. The applicant is senior citizen. Photo copy of the Aadhar Card which has been annexed to this application shows her address as “Deli Sheri, Singsar, Junagadh, Gujarat, 362275”. Presently, the applicant is in custody from 26<sup>th</sup> February, 2021. On certain terms and conditions, bail can be granted to her. Hence, I pass the following order:

### **ORDER**

- (i) Criminal Bail Application No. 1501 of 2021 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No. 145 of 1992 registered with Antop Hill Police Station, which is subject matter of Sessions case No. 1323 of 1992, pending in the Court of Sessions Court at Bombay on executing P.R. Bond in the sum of Rs.20,000/- with one or more local sureties in the like amount;
- (iii) The applicant shall report concerned Police Station once in four months on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;

- (iv) The applicant shall attend Trial Court regularly on the date of hearing of the case unless exempted by the Court.
- (v) The applicant is permitted to furnish provisional cash bail security in the sum of Rs.20,000/- for a period of four weeks in lieu of surety.
- (vi) Application stands disposed of accordingly.

**(PRAKASH D. NAIK, J.)**