

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

BAIL APPLICATION NO. 2860 OF 2021

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
Date: 2021.10.14
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1. Mrs. Kamarjhan Jawed Khan
2. Mr. Jawed Nasrullah Khan Applicants

Vs.

The State of Maharashtra Respondent

Ms. Jyoti R. Sahu for Applicants.
Mr. A.R. Kapadnis, APP for State.
IO, API, S.K. Patil.
Complainant Smt. Suvarna Bhikaji Kamble.

Coram : NITIN W. SAMBRE, J.

Date : 13th OCTOBER, 2021

P.C.:

1. The application on behalf of applicant No. 2 Jawed Nasrullah Khan is not pressed. As such, stands dismissed.

2. Applicant No.1, Mrs. Kamarjhan Jawed Khan is seeking regular bail in Crime No. 324 of 2018, registered with D.N. Nagar Police Station, Mumbai, for the offence punishable under Sections 328, 342,

354, 363, 366(A), 376, 376(I), 376(N), 109 of Indian Penal Code and Sections 4, 8, 12, 17 and 21 of POCSO Act.

3. The applicant is already charge-sheeted after having arrested on 8th August, 2018.

4. Perusal of investigation papers depicts that as against said applicant at the most prima facie offence could be inferred under Sections 8 and 12 of POCSO Act, which is punishable for a maximum period of five years. That being so, in my opinion, a case for grant of bail is made out. The application is allowed on following conditions :

ORDER

(i) The **Applicant No.1, Mrs. Kamarjhan Jawed Khan** be released on bail in Crime No. 324 of 2018, registered with D.N. Nagar Police Station, Mumbai, for the offence punishable under Sections 328, 342, 354, 363, 366(A), 376, 376(I), 376(N), 109 of Indian Penal Code and Sections 4, 8, 12, 17 and 21 of POCSO Act, on furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant shall neither influence the prosecution witnesses in any manner nor tamper with the evidence or shall try to contact the victim directly or indirectly.

(iii) Considering the fact that applicant No. 2- Jawed Nasrullah Khan, husband is already behind bars, it is directed that the applicant be released on cash bail of Rs.25,000/-, subject to an undertaking that she shall furnish bail bonds as directed above within eight weeks from her release and no further extension on whatsoever ground would be granted.

(NITIN W. SAMBRE, J.)