

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

ANTICIPATORY BAIL APPLICATION NO. 2171 OF 2021

Raees Rafiq Ansari ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Pankaj S. Pandey, Advocate for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent – State.

Mr. K. K. Tambe (A. P. I.) Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 13th SEPTEMBER, 2021.

PER COURT:

1. This is an application for pre-arrest bail in C.R. No. I-685 of 2021 registered with Mumbra Police Station, Dist. Thane for offences under Section 498-A, 323, 352, 504 r/w Section 34 of Indian Penal Code (for short “IPC”) and Section 75 of Juvenile Justice (Care and Protection of Children) Act, 2015.

2. The applicant is the husband of the complainant. The marriage was performed on 5th May, 2009. It is alleged that the complainant was abused, assaulted and harassed on several occasions by the applicant and co-accused. There are two children

born out of wedlock.

3. The applicant and other accused had preferred an application for anticipatory bail before the Sessions Court. By order dated 13th August, 2021, the other accused viz. father-in-law, mother-in-law, brother-in-law of the informant and wife of one of the accused were granted anticipatory bail on the ground that the allegations against them were in general nature.

4. On perusal of the First Information Report it is apparent that the allegations are of general nature. Specific date of incidents is not mentioned. The FIR was lodged after a period of about 12 years after the marriage. Considering the tenor of the FIR, the applicant need not be subjected to custodial interrogation.

5. Hence, I pass the following order:

ORDER

(i) Anticipatory Bail Application No.2171 of 2021 is allowed;

(ii) In the event of arrest of the applicant in connection with C.R. No. I-685 of 2021 registered with Mumbra Police Station, Dist. Thane, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant shall attend investigating officer on 21st, 22nd, 23rd & 24th September, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of charge-sheet.

(iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)