

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

ANTICIPATORY BAIL APPLICATION NO.2805 OF 2019

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Smt. Nazneen Sayyed

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Mr. Sudhir C. Halli for the Applicant.

Mr. S.V. Gavand, APP for the Respondent-State.

Mr. Murlidhar Karpe, Sr. P.I., Deccan police station, Pune, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 13th SEPTEMBER, 2021.

P.C.:-

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for pre-arrest bail filed by the Applicant in apprehension of her arrest in Crime No.247 of 2018 registered at Deccan Police Station, Pune for offences punishable under Sections 307, 504 and 506 r/w 34 of the IPC.

2. The aforesaid crime was registered pursuant to the FIR lodged by Sandipak Sadanand Phadake. The first informant had alleged that on 19/12/2018 at about 10.00 p.m. while he was proceeding from his office to his residence on motorcycle, three persons, who had come on a motorcycle assaulted him with a paver block. He had disclosed the

name of the assailants as Dipak Deshpande and Sunil Mazire. The first information report does not disclose the name of the Applicant and does not attribute any role to the Applicant. It is stated that all the other persons who are involved in the incident have been granted bail.

3. Considering the role attributed to this Applicant, this Court (Coram : Prakash .D. Naik, J.) vide order dated 19/12/2019 granted interim protection to the Applicant. It is stated that the Applicant has co-operated with the investigation and that the investigation is completed. It is stated that charge sheet against the co-accused has already been filed and charge sheet against this Applicant has not been filed because of the pendency of this application.

4. Considering the accusations against the Applicant, in my considered view this is a fit case for grant of bail. Hence, the application is allowed on following terms and conditions:-

(i) In the event of arrest of the Applicant in Crime No.247 of 2018 registered at Deccan Police Station, Pune, the Applicant be released on bail on furnishing PR bonds in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The Applicant shall co-operate with the Investigating

Agency and report to the Investigating Officer as and when required;

(iii) The Applicant shall not interfere with the witnesses or tamper with the evidence in any manner;

(iv) The Applicant shall keep the Investigating Officer informed of her current addresses and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)