

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPP) NO. 639 OF 2021

IN

ANTICIPATORY BAIL APPLICATION (ABA) NO. 247 OF 2021

Onkarnath Khairatilal Monga and others

...Versus...

State of Maharashtra, Through PSO, P.S. Lakadganj, Dist. Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri Yuvraj Y. Humne, Advocate for applicant.
Shri M.J. Khan, A.P.P. for respondent/State

CORAM : N.B.SURYAWANSHI, J.

DATE : 28/04/2021

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. This application is filed for dispensing with the certified copy of the bail rejection order.
3. The application is allowed.
4. The applicants shall file certified copy of the order, after the same is received from the Sessions Court.
5. The application is disposed of.

ANTICIPATORY BAIL APPLICATION (ABA) NO. 247/2021

Issue notice to the respondent, returnable on 6th May, 2021.

2. Learned Additional Public Prosecutor Shri M.J. Khan waives service for respondent/State.
3. This application is filed for anticipatory bail

under Section 438 of the Code of Criminal Procedure. The applicants are apprehending their arrest in connection with Crime No.0764/2020, registered with Lakadganj Police Station, Nagpur, filed by the daughter-in-law of the applicant Nos.1 & 2, under Section 498 (A), 377 of the Indian Penal Code and under Section 3 & 4 of the Dowry Prohibition Act.

4. The applicants are in-laws of the informant namely Sau. Yamini S. Monga, whose marriage with Sandeep O. Monga, the son the applicant Nos.1 & 2 and brother of the applicant No.3 took place on 26.06.2019 at Kanpur (Uttar Pradesh). She has made general allegations against the applicants and she was residing with her husband Sandeep at Pune, whereas applicants reside at Kanpur (U.P). Custodial interrogation of the applicants at this stage is not necessary. Hence, the applicants have made out a *prima facie* case for interim protection.

5. In the event of arrest of the applicants in connection with Crime No.0764/2020, registered with Lakadganj Police Station, Nagpur, the applicants shall be released on bail on their furnishing P.R. bond of Rs.15,000/- each with one surety in the like amount.

6. Due to Pandemic and lockdown and as the applicants are residing at Kanpur, Uttar Pradesh, for the present, they are not directed to attend the concerned Police Station at Nagpur. The applicants shall not tamper with the prosecution evidence.

JUDGE