

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

ANTICIPATORY BAIL APPLICATION NO.703 OF 2022

Sajid Nasir Khan ..Applicant
Versus
State of Maharashtra ..Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.737 OF 2022**

Sameer Nasir Khan ..Applicant
Versus
State of Maharashtra ..Respondent

Mr. Satish R. Soni, for the Applicant in both Applications.
Ms. P. N. Dabholkar, APP for the Respondent/State.
Mr. Viral Rathod a/w Saima Sothe, for the Intervenor.
Mr. D. D. Dhene, HC, Nagothane, Police Station, Raigad.

CORAM : NITIN W. SAMBRE, J.

DATE : 13th SEPTEMBER, 2022

P.C.

1. The first application is by the husband, whereas the second is by the brother-in-law. The prosecution story against the applicant is, the applicant – Sajid was married to the complainant on 2nd August, 2021.

2. Admittedly, Nasir, father of both the applicants is residing in foreign country. It is claimed that after the marriage, the applicant has committed an offence under

Sections 377, 498-A, 406, 323, 504, 506 r/w 34 of IPC and Section 66A of the Information Technology Act.

3. The complainant and applicant-Sajid were in physical relationship before their marriage.

4. It appears that there was matrimonial discord which has resulted in the offence.

5. Prayer for grant of pre-arrest bail is opposed by counsel for the complainant on the ground that apart from the fact that jewellery was not returned even dowry amount received was not recovered.

6. The fact remains that both the applicants were subjected to medical examination. After their inquiry during investigation, charge-sheet in the matter is already filed.

7. In the aforesaid background, in my opinion, having regard to the nature of allegations in the FIR, applicants deserve to be released on bail in the event of their arrest.

8. As such, in the event of arrest, applicants are directed to be released on bail on furnishing PR bond of Rs.15,000/- each with one or more sureties in the like

amount.

9. Applicants shall neither influence the witnesses in any manner nor tamper with the evidence.

10. Since the charge-sheet is filed, attendance of the applicants before the Investigating Officer is dispensed with.

11. The applications as such stand disposed of.

[NITIN W. SAMBRE, J.]