

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

ANTICIPATORY BAIL APPLICATION NO.1011 OF 2022

1. Arbaz Abdul Aziz Mansuri
2. Alfiyas Abdul Aziz Mansuri

...Applicants

Versus

The State of Maharashtra

...Respondent

....

Mr. Gopal Singh Rajpurohit for the Applicant.

Mr. M.G. Patil, APP for Respondent -State.

Mr. Deepak Ramesh Kharade, PSI, Mumbai is present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 13th APRIL, 2022.

P.C.:-

1. This is an application under Section 438 of Cr.P.C. filed by the Applicants for pre-arrest bail in C.R. No.152 of 2021 registered with Khar Police Station, Mumbai, for offences punishable under Sections 323, 354 and 504 r/w 34 of the IPC.

2. Heard Mr. Rajpurohit, learned counsel for the Applicants and Mr. M.G. Patil, APP for Respondent-State. Perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Vaishali Panchal. It is the case of the prosecution that on 29/03/2021 at 11.45 p.m. co-accused Aziz Mansuri, who is the father of the Applicants dashed against the husband of the Complainant. The Complainant has stated that when her husband questioned said Aziz, both these Applicants came out of the house of them and abused her and her husband. She has further stated that they slapped her and touched her body including her chest. She has therefore lodged a complaint, pursuant to which aforesaid crime has been registered. The records prima facie indicates that the Complainant and the Applicants are neighbours. There is dispute between both the families. The complaint does not prima facie indicate that the Applicants had committed the act with an intention of outraging modesty of the Complainant.

4. Considering this fact and the nature of accusation and the material in support thereof, in my considered view this is a fit case for grant of pre-arrest bail. Hence, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicants in C.R. No.152 of 2021 registered with Khar Police Station, Mumbai, the Applicants are ordered to be released on bail on

executing PR bonds in the sum of Rs.25,000/- each with one or two sureties to the like amount;

- (ii) The Applicants shall report to the concerned Investigating Officer on 18/04/2022 and 19/04/2022 between 11.00 a.m. to 2.00 p.m.
- (iii) The Applicants shall keep the Investigating Officer informed of their current addresss 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.)