

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1807 OF 2022**

Manihaj Aslam Khan @ Alam] ... Applicant

Vs.

The State of Maharashtra] ... Respondent

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Mr. Moin Khan for the applicant.

Ms. Anamika Malhotra, A.P.P. for the State.

Mr. B.D. Chavan, PSI attached to Sakinaka Police Station is present in the court.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 06TH JULY, 2022.

P.C.:-

1. The applicant is apprehending his arrest in C.R. No.819 of 2022 registered with Sakinaka Police Station, which invokes Sections 313, 354, 323, 504, 506 read with Section 34 of the IPC.

2. The incident reported is of 18/04/2022, when the complainant states that she was residing at the address given in the complaint and was carrying a pregnancy of six weeks. On 18/04/2022, at around 06.30 p.m., the neighbour Yasmeen Khan (accused No.1) created a brawl and abused the complainant and her husband. Thereafter, when her husband left for work, she along with accused No.2 knocked at the door of the complainant and, on opening the same, she found the three accused persons standing outside. The complainant narrates that Yasmeen Khan pulled her out of the door and accused Sahil Khan kicked her in her stomach, resulting a bleeding injury from her private part. Her husband arrived at the spot and Aslam Khan (the applicant) is alleged to have assaulted him in his back and threatened him with dire consequence. Yasmeen Khan also abused the husband of the complainant.

3. The complainant was taken to the hospital and, on being admitted, the miscarriage took place. This resulted in invoking Section 313 of the IPC. On perusal of the complaint, the role attributed to the present applicant is of assaulting the husband of the complainant and it is informed that he has not received any injury and, therefore, he did not undergo any medical examination. In the wake of the accusations faced by the applicant, the custodial interrogation is not required. Hence, the following order:

ORDER

- (a) In the event of arrest, the applicant – **Manihaj Aslam Khan @ Alam** shall be released on bail in C.R. No.819 of 2022 registered with Sakinaka Police Station, District Mumbai on executing P.R. bond to the extent of Rs.25,000/- and furnishing one or two sureties of the like amount.
 - (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case and shall not tamper with prosecution evidence.
 - (c) The applicant shall report to the Sakinaka Police Station, Dist. Mumbai as and when directed by the Investigating Officer.
4. The application is allowed in the aforestated terms.
5. All parties are directed to act on the downloaded copy of the order supplied by the Advocate under his seal and signature.

[SMT. BHARATI DANGRE, J.]