

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO.2288 OF 2022**

Rukhsar Alam Ansari .. Applicant

Versus

The State of Maharashtra .. Respondent

WITH

ANTICIPATORY BAIL APPLICATION (ST) NO. 4896 OF 2020

Husain Abdul Rehman Shaikh .. Applicant

Versus

The State of Maharashtra .. Respondent

WITH

ANTICIPATORY BAIL APPLICATION (ST) NO. 4903 OF 2020

Hasan Baba Shaikh and anr. .. Applicants

Versus

The State of Maharashtra .. Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 2306 OF 2022

Mumtaj Mohammad Yaseen Shaikh .. Applicants

Versus

The State of Maharashtra .. Respondent

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Mr. Gaurav Bhawani i/b Mr. Khan Abdul Wahab for the Applicant.

Mrs. Rutuja Ambekar, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.

DATED : 19th SEPTEMBER, 2022

P.C:-

1. The two applicants arraigned as accused in the same CR being

CR No. 203 of 2020 registered with Juhu Police Station, were admitted to protection, in the wake of the accusations levelled against them by the complainant.

As far as Rukhsar Ansari is concerned, she was accused of pushing the complainant and her daughter while the two other accused removed her belongings. I had, prima facie expressed that no custodial interrogation is necessary in case of Rukhsar, and she was however directed to report to the police station on the given dates, and the learned APP make a categorical statement that the applicant has not abided by the said order.

The counsel for the applicant now state, that Rukhsar shall report to the police station on 22/09/2022 and 23/09/2022, and if there is failure to attend, it shall be construed as a breach of condition, and the Investigating Officer is granted liberty to effect her arrest.

2. As far as Mumtaz is concerned, the order granting her protection recorded that her name was not specifically taken. But the learned APP state that the present applicant is also known as Areefa. However there is no material to that effect placed on record, but even admitting the case of the prosecution, she is also assigned with

similar role of pushing the complainant. Hence custodial interrogation is not warranted, but it is also informed that even she has also not reported to the police station.

The counsel for the applicant undertake that she shall report on same date, and failure to do so will warrant an appropriate action of arresting her, construing the breach of the condition, subject to which her release is assured. The order dated 24/08/2022 passed in the two applications is confirmed subject to the above undertaking.

3. Anticipatory Bail Application No. 2288 of 2022 and Anticipatory Bail Application No. 2306 of 2022 are disposed off.

(SMT. BHARATI DANGRE, J.)