

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

CRIMINAL APPLICATION (ABA) NO.306 OF 2022

(POOJA VILASRAO GAYDHANE....VS..STATE OF MAH. THR. PSO PS WALGAON, DIST.
AMRAVATI)

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

Court's or Judge's orders

Ms Shreya H. Bhagat, h/f. Shri P.R.Agrawal, Advocate for Applicant.
Shri T.A.Mirza, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JUNE 08, 2022.

1. Heard.
2. The applicant is praying for anticipatory bail under Section 438 of the Code of Criminal Procedure apprehending arrest in Crime No.120 of 2022, registered with Police Station, Walgaon, District : Amravati for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.
3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence. It is further submitted that even if the allegations are taken on its face value offence under Section 306 of the Indian Penal Code does not attract. It is lastly argued that custody of the applicant is not necessary.
4. The learned A.P.P. strongly opposed the application and prays for rejection of the application.

5. I have perused the case diary and also the allegations made in the First Information Report.

6. From the allegations, *prima-facie*, I am of the opinion that custodial interrogation is not necessary in this case. Furthermore, there is nothing to show that there is any possibility that the applicant may pressurize the prosecution witnesses or tamper the evidence or she will not be available for trial.

7. In that view of the matter, I pass the following order:

- i) The Criminal Application is allowed.
- ii) Order dated 4th May 2022, granting *ad-interim* anticipatory bail to the applicant is confirmed.

The Criminal Application is **disposed of** accordingly.

JUDGE

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