

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

CRIMINAL APPLICATION (BA) NO. 824 OF 2022

Shubhangi w/o Nandkishor Malode **Versus** State of Maharashtra, through PSO PS Arvi, Dist. Wardha

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.Rai, counsel for the applicant.

Shri T.A.Mirza, APP for the non-applicant No/State.

CORAM : ANIL S. KILOR, J.
DATED : 26/07/2022

1. The applicant is seeking bail in Crime No. 463 of 2022, registered with Police Station Arvi, District Wardha, for the offences punishable under Sections 302, 364, 397, 120-B, 201, 34 and 411 of the Indian Penal Code, 1860.
2. Shri Rai, learned counsel for the applicant submits that, even if the allegations are taken on its face value, only offence under Section 411 would attract against the applicant, who is a lady.
3. He further submits that maximum punishment in that case would be three years.
4. Shri Rai, learned counsel for the applicant further argues that the applicant is in jail from last one and half months and considering the role of the applicant in the alleged offence, further custody of the applicant is not necessary. Accordingly, he prays for grant of bail.

5. On the other hand, learned APP strongly opposed the present application.

6. I have perused the Case-diary and the FIR.

7. The allegations against the applicant is that she has purchased the stolen property.

8. In that view of the matter, against the applicant Section 411 of Indian Penal Code would attract if the prosecution is succeeded in establishing the guilt against the applicant beyond doubt. The maximum punishment would be in that case, of three years. The applicant is in jail from last one and half months and considering the allegations as referred above, I am of the opinion that, further custody of the applicant is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in Crime No. 463 of 2022, registered with Police Station, Arvi, District Wardha, for the offences punishable under Sections 302, 364, 397, 120-B, 201, 34 and 411 of the Indian Penal Code, 1860, the applicant shall be released on bail on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on every 1st and 16th day of each month

between 10.00 a.m. to 12.00 noon, till the culmination of trial.

- d) The State is at liberty to apply for cancellation of bail, in case of breach of any condition or the applicant commits any serious offence.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]