

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

Criminal Application (ABA) No.827 of 2021

Kamini w/o Sanjay Vairagade,

Versus

State of Maharashtra, through P.S.O., Police Station Beltarodi, District Nagpur.

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

Court's or Judge's Order

Shri R.L.Khapre, Senior Adv. a/b Shri D.R.Khapre, Adv. for applicant
Ms T.H. Udeshi, A.P.P. for non-applicant/State

CORAM : ANIL S. KILOR, J.

DATED : 01 MARCH 2022

This is an application filed by the applicant for grant of pre-arrest bail in Crime No.474 of 2021 registered with Police Station Beltarodi, Nagpur for the offence punishable under Section 326 read with Section 34 of the Indian Penal Code. This Court on 04/12/2021 granted ad-interim anticipatory bail to the applicant and accordingly, the applicant has attended the police Station as directed by this Court.

2. Learned APP opposed the application only on the ground that the custody is required for recording the voice sample of the applicant. It is also pointed out that, at the instance of the applicant, there was an attempt made to pressurize the police personnel to drop the name of the applicant.

3. I am of the opinion that if the applicant is directed to attend the police station and to co-operate in the investigation, thereupon the police can record her voice sample, as they want. But, in any case, for the said purpose, custody is not necessary. Moreover, after going through the contents of the First Information Report, *prima facie*, I am of the opinion that *ad-interim* anticipatory bail granted to the applicant needs to be confirmed.

4. In the aforesaid backdrop, the application is allowed. The order dated 04/12/2021 is confirmed.

5. The applicant shall attend the police station as and when her presence is required. It is made clear that any attempt at the behest of the applicant to pressurize the witnesses or police in this matter will be taken seriously as a ground for cancellation of bail. Accordingly, liberty is granted to the prosecution to apply for cancellation of bail in any such eventually.

6. The Criminal Application stands **disposed of** accordingly.

[ANIL S. KILOR, J.]

R.S.Sahare