



Diksha Rane

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.204/2023

SANDRA @ ALEXANDRA NANTONGO

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Tabish Mooman i/b. Adv. Sadiya Khan for the applicant.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 20, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is an application for bail in respect of the offence punishable under Sections 465, 467, 471, 420 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 24/3/2021 vide C.R. No.26/2021 with Shivaji Nagar Police Station.
3. It is alleged that the applicant manipulated the ATM card to withdraw Rs.5 lakhs. There are in all three accused. The applicant is the accused no.1. The applicant was arrested on 6/9/2021 and now is in custody for more than

two years. The applicant is a Nigerian National.

4. Learned APP vehemently opposed the application for bail contending that the accusations are serious and there are as many as two criminal antecedents reported against the applicant, one at Jaipur and another at Pune of a similar nature.

5. It is the contention of learned counsel for the applicant that even the CCTV footage indicates that the face of the applicant was covered. There is no recovery from the present applicant. Though it is the allegation that the amount involved in the present crime is more than Rs.75 lakhs, the First Information Report (FIR) which has been registered and even as per the remand report, *prima facie*, it appears that the amount involved is Rs.5 lakhs. The offence in question is punishable upto 7 years imprisonment.

6. The applicant is a woman. She is in custody for more than two years. No doubt, there are criminal antecedents of the similar nature, however, considering the period the applicant spent in custody as an undertrial, I am inclined to enlarge the applicant on bail by imposing stringent

conditions. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Sandra @ Alexandra Nantongo in connection with C.R. No.26/2021 with Shivaji Nagar Police Station, shall be released on bail on her furnishing P.R. Bond of Rs.1,00,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of Shivaji Nagar police station once in a week i.e. every Saturday between 11.00 a.m. and 1.00 p.m. till conclusion of trial.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for the purpose of attending the criminal cases in other Courts, the applicant shall not leave the jurisdiction of Pune District till the trial concludes without the leave of the trial Court.

(g) The applicant shall attend the trial regularly.

(h) The applicant shall surrender her passport to the trial Court if not surrendered in respect of the previous offences.

(i) The applicant has to take steps for renewing of the passport and Visa in accordance with law. It is open for the authorities to take appropriate action against the applicant for failure to do so and the consequences thereof will follow in terms of the procedure prescribed.

7. The application is disposed of.

(M. S. KARNIK, J.)