

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

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ANTICIPATORY BAIL APPLICATION NO.336/2023

HASEENA BEE D/O. MOHAMMED
HASIM PATHAN & ORS.

..APPLICANTS

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. R. M. H. Jabali for the applicants.

Ms. P. N. Dabholkar, APP for State.

PI Vijay Pandurang Garud, Trombay Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 8, 2023.

P.C. :

1. Heard learned counsel for the applicants and learned APP.

2. This is an application for pre-arrest bail in respect of First Information Report (FIR) No.0631/2022 registered with the Trombay Police Station, under Sections 307, 326, 324, 143, 144, 147, 148, 149, 323 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).

3. In all there are nine accused. Five of the accused have been arrested. The applicant are accused nos.6, 7 and 9. All the applicants are women related to the accused who were

arrested. The complainant suffered serious injuries. The injuries are mainly attributed to the accused who have been arrested. So far as the applicants are concerned, it is alleged that they hurled stones and bricks at the complainant. The applicant no.1 had registered the cross case. There are no criminal antecedents reported against the applicant nos.1 and 2. There is a criminal antecedent of the similar nature reported against the applicant no.3.

4. Learned counsel for the applicants submitted that in any case, the applicant no.3 is not residing in that area ordinarily and therefore, she will not enter the jurisdiction of the Trombay Police Station without leave of the trial Court till the trial is over. Statement is accepted.

5. Considering the nature of the accusations and the fact that the applicants are women, their custodial interrogation in the present case is not required. The applicants, however, to co-operate with the investigation. Hence the application deserves to be allowed by passing the following order.

ORDER

(a) Application is allowed.

(b) In the event of arrest in connection with First Information Report (FIR) No.No.0631/2022 registered with the Trombay Police Station, the applicants shall be released on bail on furnishing P.R. Bonds to the extent of Rs.15,000/- each with one or more sureties in the like amount.

(c) The applicants shall report to the concerned police station on 11th and 12th February, 2023, between 11.00 a.m. and 1.00 p.m. and thereafter, as and when called.

(d) The applicants 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 and shall not tamper with evidence.

(e) The applicants shall furnish the details of their residential addresses and phone numbers to the investigating officer.

(f) The applicant no.3 shall not enter the jurisdiction of the Trombay Police Station except for the purpose of attending the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)