

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 968 OF 2023**

1. Kamlabai Bapurao Jamage

2. Varsha Jalinder Khandagale

...Applicants

Versus

The State of Maharashtra

...Respondent

.....

Mr. Aniket Vagal a/w Mr. Kunal Pednekar for the Applicant.

Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 3 APRIL 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 108 of 2023 registered at Yerwada Police Station, Pune City for the offences punishable under Sections 381 r/w 34 of the Indian Penal Code.

3. I have perused the FIR. The applicants were working as maid servants at the house of the complainant. According to the complainant, her brother was in the need of money. Thus, on 2 November 2022, she had taken out Rs. 16 Lakhs from the cupboard in her house and kept the said amount in one sack. She kept the said sack in the bedroom of her house. According to the complainant, she told her brother about it on the

very same day. It is alleged that on 15 November 2022 when her brother had gone to the house of the complainant to collect the said amount, he found that the said amount was not there. According to the complainant, the present applicants committed theft of the said amount.

4. There is a delay of more than two months in lodging the report. Considering the overall facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to grant anticipatory bail to the applicants. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicants in Crime No. 108 of 2023 registered at Yerwada Police Station, Pune City for the offences punishable under Sections 381 r/w 34 of the Indian Penal Code, they shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)