

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

ANTICIPATORY BAIL APPLICATION NO. 1190 OF 2023

Anwari Khatoon Mohammad Rais

... Applicant

v/s.

The State of Maharashtra

.... Respondent

Mr. Rohit Sharma for the Applicant.

Mr. S.H. Yadav, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 26th APRIL, 2023.

P. C. :-

. This is an Application under section 438 of Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R.No.77/2023 registered with Mahim Police Station, Mumbai for offences punishable under sections 323, 324, 427, 452, 504 r/w. 34 of the Indian Penal Code.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Mohammad Habib Ashraf Maikan Rayni. The facts narrated in the FIR

prima facie reveal that the husband of the Applicant had given a shop to the first informant on rent. The first informant had not paid the rent from April, 2020 and he had agreed to pay the same in installments. It is stated that on 14/02/2022, the Applicant herein along with other unknown persons went to the shop and demanded the arrears of rent and/or to vacate the premises. It is alleged that the unknown persons who had accompanied the Applicant, had inflicted the injury on the forearm of the first informant.

4. It is also alleged that the Applicant and others had damaged CCTV camera. There are no specific allegations against the Applicant. The dispute between the parties appears to be over non-payment of rent. The nature of the accusations would not justify custodial interrogation. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.77/2023 registered with Mahim Police Station, Mumbai, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer on 28th and 29th April, 2023 between 11:00 a.m. to 02:00 p.m. and further as and when required by the Investigating Officer ;

(c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. The Application stands disposed of.

PREETI
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(SMT. ANUJA PRABHUDESSAI, J.)

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