



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

CRIMINAL APPLICATION NO. 239 OF 2023

ALINA ABDUL ARKAT

..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ANR.

..RESPONDENTS

Adv. Noman Jafri, for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 8, 2023

P.C. :

1. Heard learned counsel for the applicant. Presently, I see no reason to interfere with the order dated 06/10/2023 enlarging the accused on bail. Learned counsel for the applicant submitted that the apprehension of the prosecutrix is that since the prosecutrix and accused are studying in the same college, the possibility of the accused threatening the prosecutrix cannot be ruled out. Pursuant to the enlargement of the accused on bail, there is no untoward incident reported. The apprehension is not supported by any material. Moreover, the condition has already imposed by the trial Court while enlarging the accused on bail that the accused shall not try to contact the

victim in any manner and shall not influence the witnesses. If it is noticed that the accused is in any manner trying to establish contact with the victim, needless to mention that a serious view will be taken which may result in the consequence of cancellation of bail. In case, the prosecutrix does have a grievance that the accused has threatened or intimidated her, it is always open for the prosecutrix to apply for cancellation of bail.

2. In such circumstances, if any untoward incident is reported to the investigating officer, needless to mention that appropriate action in accordance with law will be taken.

3. With these observations, the application is disposed of.

(M. S. KARNIK, J.)