

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION (BA) NO. 1429 OF 2022

SHEIKH TANUJA S/O SHEIKH SHERU (IN JAIL)

VS

STATE OF MHA. THR. PSO SAWANGI MEGHE DIST.WARDHA

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Syed Ateeb, Advocate for applicant.
Mr. N. R. Rode, APP for respondent.

CORAM : ANIL L. PANSARE J.

DATE : 17/01/2023

This application is filed by the applicant under Section 439 of the Code of Criminal Procedure. The applicant is arrested on 31/10/2022 in Crime No.596/2022, registered with Police Station, Sawangi-Meghe for the offences punishable under Sections 294, 307, 353 and 506 read with Section 34 of the Indian Penal Code.

2. It appears from the FIR that the applicant is involved in the business of selling country made liquor. The informant and some other villagers approached the applicant. She (i.e. applicant) was sitting in front of her house. The informant and her associate said as to why is she still continuing the

liquor sell, to which she called her son Altaf. Altaf came from behind with knife in his hand and assaulted the informant, who in an attempt to save stomach injury, sustained injury to her hand. She however, sustained injury in stomach, but was not a deep wound. The President of Dispute Redressal Committee appears to have intervened, but he was also assaulted and sustained injuries on thigh.

3. With these allegations, the learned counsel for the applicant submits that the applicant has neither assaulted anyone nor has she instigated Altaf. She has just called Altaf when the villagers approached her. The applicant is in jail since 31/10/2022. The charges have not been framed. On inquiry he submits that there are no criminal antecedents against the applicant. She is residing in the owned house, thus, she has strong roots in the locality.

4. Learned APP submits that if the applicant is released on bail, she will continue selling illegal liquor, which may result in law and order situation. His apprehension, however, can be dealt with by putting applicant to appropriate conditions.

5. Considering the role of the applicant as discussed above, and the nature of evidence, no purpose will be served in keeping applicant behind bar. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant – **Sheikh Tanuja W/o Sheikh Sheru**, be released on bail, in Crime No.596/2022, registered with Police Station, Sawangi-Meghe, District–Wardha for an offence punishable under Sections 294, 307, 353 and 506 read with Section 34 of Indian Penal Code, on she furnishing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The Applicant shall, at the time of execution of bond, furnish her address and telephone/mobile number(s) to the Investigating Officer and the Court concerned and shall not change the residence till the final disposal of the case.
- (iv) The applicant shall regularly attend the court and cooperate the learned trial Court to complete the trial for the above offences. The applicant shall not

seek adjournments, except under extreme circumstances to the satisfaction of the trial Court.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any Police Officer.

(vi) The applicant shall not enter the jurisdiction of Sawangi-Meghe without prior permission of the Court, till the trial is over.

(vii) The Applicant shall maintain law and order.

(viii) In case of breach of any conditions, the learned trial court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.

The application is disposed of in the above terms.

JUDGE