



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

51 ANTICIPATORY BAIL APPLICATION NO. 1968 OF 2024

1. Md. Shujaat Ali Faheem Akhatar And Others
2. Shaheen Parveen w/o Faheem Akhtar,
3. Anam Fatima d/o Faheem Akhtar @ Anam Fatima w/o Md. Abrar.

VERSUS

The State Of Maharashtra

...
Advocate for Applicant : Mr. Khadap Rahul D.
APP for Respondents-State: Mr. B. B. Bhise
...

CORAM : ARUN R. PEDNEKER, J.

Dated : November 25, 2024.

PER COURT :-

1. The learned advocate appearing for the applicants, on instructions, prayed for the withdrawal of the application concerning applicant No.1 - Md. Shujaat Ali Faheem Akhatar.
2. The application, in respect of applicant No.1 - Md. Shujaat Ali Faheem Akhatar, is dismissed as withdrawn.
3. Heard learned counsel for the applicant and the learned APP for the respondent-State.
4. The applicants No.2 - Shaheen Parveen w/o Faheem Akhtar and No.3 - Anam Fatima d/o Faheem Akhtar @ Anam Fatima w/o Md. Abrar are apprehending arrest in connection with FIR No.332/2024, dated 08/10/2024, registered at Police Station City Chowk, Aurangabad, for the

offences punishable under sections 326, 354, 313, 315, 316, 324 read with 34 of the Indian Penal Code and under Section 5 (2) of medical Termination of Pregnancy Act, 1971.

5. Considering that the basic allegations pertain to the year 2021, with proceedings initiated in the first instance in 2023, and subsequently before the Magistrate in 2024 under Section 156(3) of the Cr.P.C., it appears that there is *prima facie* over-implication. The applicants have seemingly been implicated persons who are family members. In view of the same, protection is granted to applicants No.2 and 3.

6. In view of the above, the application is allowed in respect of applicants No.2 and 3 in the following terms : -

i] In the event, the applicant No.2 - Shaheen Parveen w/o Faheem Akhtar and applicant No.3 - Anam Fatima d/o Faheem Akhtar @ Anam Fatima w/o Md. Abrar are arrested in connection with FIR No.332/2024, dated 08/10/2024, registered at Police Station City Chowk, Aurangabad, for the offences punishable under sections 326, 354, 313, 315, 316, 324 read with 34 of the Indian Penal Code and under Section 5 (2) of medical Termination of Pregnancy Act, 1971, they shall be released on bail on furnishing PR bond of Rs.20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicants No.2 and 3 shall attend the police station as

and when called by the police.

iii] The applicants No.2 and 3 shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicants No.2 and 3 shall co-operate with the investigation and also in the proceedings before the trial Court.

7. In the event, the applicants No.2 and 3 violates any of the conditions specified in this order, it shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.