

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1147 OF 2024

Heenakausar Maulali Shaikh ... Applicant
Vs.
State of Maharashtra and another ... Respondents

Mr. Kamran S. Shaikh a/w. Mr. Ritesh M. Thobde for Applicant.
Ms. Megha S. Bajoria, APP for Respondent-State.
None for Respondent No.2.

CORAM : MANISH PITALE, J.
DATE : SEPTEMBER 02, 2024

P.C. :

1. Mr. Shaikh, learned counsel for the applicant and Ms. Bajoria, learned APP have pointed out that initially the present application was filed as an appeal under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, wherein, by an order dated 31.08.2023 passed by the Division Bench of this Court (Coram: Revati Mohite-Dere and Gauri Godse, JJ.), interim protection from arrest was granted to the applicant, subject to the conditions specified in the said order. Subsequently, the appeal was permitted to be converted into an anticipatory bail application and the interim order was continued by this Court (Coram : M. S. Karnik, J.) for a period of four weeks by order dated 22.03.2024.

2. The interim order may not have continued beyond four weeks from 22.03.2024, but the learned APP informs this Court that in terms of the conditions imposed upon the applicant, she had co-operated with the investigation.

3. This Court has considered the material on record. The allegation against the applicant is that, her brother i.e. the main accused person had

brought the minor victim girl to the house of the applicant where the co-accused person i.e. her brother had allegedly sexually exploited the minor victim.

4. Considering the nature of allegations levelled against the applicant and in the backdrop of the fact that the applicant was granted interim relief by an order dated 31.08.2023, as also the fact that the applicant has co-operated with the investigation, this Court is inclined to allow this application. Hence, the interim order dated 31.08.2023 is confirmed and the application is allowed.

5. The applicant shall co-operate with the concerned Court for expeditious completion of the trial.

(MANISH PITALE, J.)

Minal Parab