

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

**INTERIM APPLICATION NO. 3118 OF 2024
IN
CRIMINAL APPEAL NO. 1477 OF 2018**

Mamata Shambhunath Das ..Applicant.
Versus
The State of Maharashtra ..Respondent

Mr. Tohid Shaikh i/b. Anjali Patil for Applicant.
Mr. Shrikant H. Yadav, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 12 AUGUST 2024**

PC :

1. The Applicant was convicted by the learned Additional Sessions Judge, Greater Mumbai, in Sessions Case No.369 of 2014 for the offences punishable under sections 370(3) and 342 r/w. 34 of the I.P.C. and under sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956. The applicant was sentenced to suffer R.I. for 10 years.

2. The applicant preferred Criminal Appeal No.1477 of 2018 before this Court. The Appeal was admitted and the applicant was granted bail pending her Appeal vide the order

dated 05.02.2019 passed by a co-ordinate bench of this Court (Coram: Smt. Sadhana S. Jadhav, J.) in Criminal Application No.1929 of 2018 in Criminal Appeal No.1477 of 2018. The bail was granted on certain conditions. The applicant was directed to be enlarged on furnishing P. R. bond in the sum of Rs.15,000/- with one or more solvent sureties in the like amount. She was given concession of submitting provisional cash bail for a period of eight weeks. She could not arrange for the sureties within that period and, therefore, she preferred another Criminal Application No.787 of 2019 in that Appeal. Another bench of this Court (Coram: Dama Seshadri Naidu, J.) vide the order dated 07.08.2019 extended the time to furnish the sureties by six more weeks from 07.08.2019. The applicant was released on bail on furnishing cash bail, but thereafter she did not furnish the sureties even in the extended period. Therefore, by another order an N.B.W. was issued against her and she was arrested. As of today, she is in custody on execution of the N.B.W.

3. The present application is preferred by the applicant. It is stated in the application that, she is now in a position to furnish

the sureties as directed earlier. She is ready to furnish the sureties at the time of her release.

4. Considering this background, since the applicant was already granted bail, I am inclined to allow this application.

5. Hence, the following order:

O R D E R

- i) The applicant is directed to be released on bail on her executing P. R. bond in the sum of Rs.15000/- with one or two sureties in the like amount.
- ii) Rest of the conditions imposed on her vide the order dated 05.02.2019 passed in Criminal Application No.1929 of 2018 in Criminal Appeal No.1477 of 2018 are maintained as they are.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)