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MHCC050034982021



**IN THE COURT OF SESSIONS, AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO.984 OF 2021
(C.R.NO.533/2021)
(CNR NO.MHCC05-003498-2021)**

1. Mr. Shamshir Shamshuddin Sayyed

Aged about 35 Years, Occupation: Daily Wages,
Aadhar No.240082317016
Residing at Room No.202,
Loknayak Nagar, Kapaswadi,
New Versova Link Road,
Behind Shankari Hotel,
Azad Nagar, Andheri (W),
Mumbai 400 053.

2. Mrs. Shamimbanu Shamsuddin Sayed

Aged about 56 Years, Occupation: Housewife,
Aadhar No. 277475812147,
Residing at Room No.203,
Juhu Versova Link Road,
Behind Shankari Hotel, Loknayak
Nagar, Kapaswadi, Andheri (W),
Mumbai 400 053.

...Applicants/Accused

V/s.

State of Maharashtra

Through D.N. Nagar Police Station

....Respondent

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Ld. Advocate Ms. Mariya S. Alphanso for the Applicants/Accused.

Ld. Addl.P.P. Smt. R. S. Kanojiya for the State.

CORAM: H.H.THE ADDITIONAL SESSIONS JUDGE

SHRI D.D.KHOCHE

(C.R.NO.13)

DATE : 31ST JULY, 2021.

ORDER

This is an application u/s. 438 of the Criminal Procedure Code 1973 filed by Shamshir Shamshuddin Sayyed and Mrs. Shamimbanu Samsuddin Sayed for grant of Anticipatory Bail in C.R.No.533/2021 for the offences punishable under sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code, 1860 (hereinafter referred to as "I.P.C.") registered with D.N. Nagar Police Station.

2. Perused the application and the reply filed. Perused the case diary produced. Heard Ld. Advocate Ms. Mariya S. Alphanso for the Applicants/Accused and Ld. Addl.P.P. Smt. R. S. Kanojiya for the State.

3. Investigating Officer yet to verify the fact, whether the applicant/accused No.1 Shamshir had committed the 4th marriage subjecting cruelty to the informant and infringing personal law by applicants/accused. In such circumstances, Investigating Officer will require to take investigation, till that time it will just and proper to secure the applicants/accused with interim order. Hence, following order:

ORDER

1. Anticipatory Bail Application No.984/2021 is conditionally allowed.

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2. In the event of arrest, in aforesaid C.R. No.533/2021 for the offences punishable under sections 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code, 1860 registered with D.N. Nagar Police Station, applicants/accused respectively Shamshir Shamshuddin Sayyed and Mrs. Shamimbanu Samsuddin Sayed be released on interim anticipatory bail on their executing P.R.Bond of Rs.15,000/-(Rupees Fifteen Thousand Only) each and on furnishing solvent surety of like amount and on observing following terms and conditions -

- a) They shall produce their respective Identity Cards, address proofs and furnish their mobile numbers with bail papers.
- b) They shall attend D.N. Nagar Police Station on every Wednesday and Saturday between 10.00 a.m. to 2.00 p.m. till 15/8/2021 and shall co-operate the Investigating Officer in the investigation.
- c) They shall maintain diary of attendance and take the endorsement of police station on it.
- d) They shall not tamper with prosecution witnesses in any way.
- e) They shall attend further hearing of this anticipatory bail.

(Dictated and pronounced in open Court)

Date: 31.7.2021

**(D.D.KHOCHE)
THE ADDL.SESIONS JUDGE
CITY CIVIL & SESSIONS COURT,
BORIVALI DIVISION, DINDOSHI**

Dictated on	: 31.7.2021
Transcribed on	: 02.8.2021
Checked & corrected on	: 02.8.2021
Signed on	: 02.8.2021
Sent to Dept. on	:

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**“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED ORDER”**

2.8.2021 AT 11.05 A.M.

MRS.M.S.PENDKHALKAR

Name of the Judge (With Court Room No.)	HHJ D.D.KHOCHE (Court Room No.13)
Date of Pronouncement of ORDER	31.7.2021
ORDER signed by P.O. on	02.8.2021
ORDER uploaded on	02.8.2021