

MHCC020112832025



IN THE COURT OF SESSION FOR GREATER BOMBAY

Anticipatory Bail Application No. 1444 of 2025

**Najarin w/o Mohammad Kaleem/Narin Irshad
Ahemad**

Age: 24 years.

**R/a: Gram Semariyawant, Post-Semariyawan,
Dist- Sant Kabir Nagar, Uttar Pradesh.272126**

**...Applicant/
Accused**

Versus

The State of Maharashtra

(At the instance of Byculla Police Station).

...Respondent

Ld.Advocate Mr. Ilyas Shaikh for Applicant/accused.

Ld. APP Mr.Sachin Patil for the State.

CORAM : HIS HONOUR THE ADDL.SESIONS JUDGE

R.S.Aradhya(C.R.No.56)

DATE : 22.07.2025.

ORDER

The present application under Section 482 of BNSS 2023 is filed by the applicant/accused for releasing her on anticipatory bail in C.R.No.152/2025 registered at Byculla Police Station, Mumbai for the offence punishable under Section 305 of BNS 2023. Prosecution has filed their say at Exh.2 and resisted the contentions in the application.

Heard learned Advocate for the applicant/accused as well as APP for the state and Investigating officer API Sachin Chavan of Byculla Police Station.

2. It is in brief the case of prosecution that the present applicant/accused alongwith his brother, informant namely Ishrar Ahemad Choudhari residing at Mumbai for the last five months and previously was residing at a native place Mohamedgad, U.P. The applicant/accused has love affair with Kalim Mohd.Mustafa residence of Mohammedgad so the informant performed her marriage with the son of paternal aunt namely Sajjak Ahemad Iqbal Ahemad. After marriage applicant/accused alongwith her husband came to Mumbai and while returning the said Kalim filed the application with Dudhara Police Station that the applicant was subjected to physical harrasment at the hands of his brother and husband. However, on 21.03.2025 informant was not found the applicant/accused in the house so he lodged the missing complaint in Byculla Police Station bearing No.16/2025. In addition checked the C.C.T.V. footage from which it disclosed that she left the house at midnight by taking the cash of Rs.3,00,000/- and one gold bracelet of the value of Rs.1,00,000/-. It is therefore lastly informant has lodged the complaint in Byculla Police Station against the applicant/accused for the offence punishable under Section 305 of BNS 2023 and accordingly Crime No.152/2025 came to be registered.

3. By the say Exh.2 prosecution has opposed the application on the ground of recovery of cash and gold property so also possibility of interruption in the process of investigation. However, investigating officer has made statement in the Court that the applicant/accused and informant are real sister and brother so in view of their relationship there is possibility of settlement and 'B'-summary report likely to be filed for closing of the case. Therefore taking into consideration above said facts as well as nature of the offence by imposing some conditions if the accused is released on bail no prejudice or harm will be caused to

the prosecution so find that application deserves to be allowed. In the result accordingly following order is passed;

ORDER

1. Anticipatory Bail Application No.1444 of 2025 is hereby allowed as under;

i) In the event of arrest applicant/ accused **Najarin w/o Mohammad Kaleem/Narin Irshad Ahemad** is ordered to be released on execution of her personal bond of Rs.15,000/- with one surety of the like amount in connection with the Crime No.152/2025 for the offence punishable under Section 305 of Bhartiya Nyaya Sanhita, 2023 registered at Byculla police station, Mumbai.

ii) Applicant shall attend the Byculla police station on 2nd and 4th Sunday in between 2.00 pm to 5.00 pm or as and when called by the investigating officer for investigation purpose till further order of the court.

iii) Applicant/accused shall not contact with any person of the informants company and prosecution witnesses also not to tamper the prosecution evidence in any manner.

iv) Applicant/ accused shall not leave Mumbai without prior permission of the court.

v) Applicant/accused shall furnish proof of her residence and any subsequent change therein to the investigating officer.

vi) Inform the order to the concerned police station.

Date : 22/07/2025

(R.S.ARADHYE)
Additional Sessions Judge
City Civil & Sessions Court,
Gr. Bombay

Order Dictated on : 22/07/2025.
Transcribed on : 23/07/2025.
Signed on : 24/07/2025.

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

Upload Date	Upload Time	Name of Stenographer
25/07/2025	5.47 p.m.	Prajakta K. More

Name of the Judge (With Court Room No.)	SHRI. R.S.ARADHYE (C.R.No.56) THE ADDL. SESSIONS JUDGE
Date of Pronouncement of JUDGEMENT /ORDER	22/07/2025
JUDGEMENT /ORDER signed by P.O. on	24/07/2025
JUDGEMENT /ORDER uploaded on	25/07/2025