

MHCC050013712021



IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI

ANTICIPATORY BAIL APPLICATION NO. 388 OF 2021

IN

(C.R. No. 102 of 2021 of Samta Nagar Police Station)

1) Mrs. Rabiya Ajeet Rai,

Age : 31 yrs., Occupation : service,

Indian Inhabitant,

R/o : R. No. 4, Jani Compound, Jivdani Road,

Near Mushi Bungalow, Virar E. Dist. Palghar,

State of Maharashtra : 401 305

2) MS. Anjum Mehmood Khan,

Age : 36 yrs., Occupation : service,

Indian Inhabitant,

R/o : Masjid Chawl, Vadari Pada Road,

Hanuman Nagar, Akurli Road,

Kandivali E. Mumbai : 400 101

..Applicants

Vs

The State of Maharashtra

(through Samta Nagar Police Station)

..Respondent

Ld. Adv. G.M. Shaikh, for the applicants.

Ld. APP Sachin Jadhav, for the State.

**CORAM : SHRI S. U. BAGHELE,
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO. 09.**

DATE : 12th March, 2021.

ORAL ORDER

This is an application for the grant of anticipatory bail under section 438 of the Cr.P.C., in connection with C.R. No. 102 of 2021, registered with Samta Nagar Police Station, for the offences punishable under sections 452, 323, 504, 506 read with section 34 of the Indian Penal Code.

2 Perused the application, the say filed thereon and the documents relied upon in support thereof.

3 Heard the learned counsel for the applicants and the learned APP for the State.

4 It is submitted by the learned counsel for the applicants that a false FIR came to be lodged against the applicants to pressurize them. There are cross FIRs against each other. Custodial interrogation is not required. Per contra, it is submitted by the learned APP that the applicants assaulted the informant. They are likely to pressurize witnesses.

5 As per the FIR, the applicants forcibly entered into the house of the informant and abused the informant and another, and beat them with hands.

6 The nature of the crime is such that the custodial interrogation of the applicants is not required, nor the allegations are serious. Hence, the applicants are entitled to anticipatory bail. Thus, I proceed to pass the following order :

ORDER

- 1) The application for the grant of anticipatory bail is hereby allowed and it is hereby directed that in the case of arrest of the applicants 1) **Mrs. Rabiya Ajeet Rai** and 2) **MS. Anjum Mehmood Khan**, in connection with C. R. No. 102 of 2021, registered with Samta Nagar Police Station, for the offences punishable under sections 452, 323, 504, 506 read with section 34 of the Indian Penal Code, they be released on bail, on their executing PR Bond of Rs. 15,000/- each (Rupees Fifteen Thousand Only), with one or more surety/sureties in the like amount each, on the conditions that they shall not tamper with the prosecution witnesses in any manner and shall co-operate with the investigating agency.
- 2) The concerned Police Station be informed accordingly.
- 3) Anticipatory Bail Application No. 388 of 2021 is hereby disposed of accordingly.

Sd/-

(S. U. BAGHELE)Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dt. 12/03/2021

Dictated on : 12/03/2021
Transcribed on : 12/03/2021
Signed on : 12/03/2021

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

12/03/2021 at 5.14 p.m.
UPLOAD DATE AND TIME

Mrs. S.B. Vichare
NAME OF STENOGRAPHER

Name of Judge (with Court room no.)	HHJ Shri S. U. Baghele, City Civil & Sessions Court, Borivali Div., Dindoshi, Mumbai (C.R.No. 09)
Date of Pronouncement of JUDGEMENT/ORDER	12/03/2021
JUDGEMENT/ORDER signed by P.O. on	12/03/2021
JUDGEMENT/ORDER uploaded on	12/03/2021