

MHCC050009902021



**IN THE COURT SESSION, AT DINDOSHI  
BORIVALI DIVISION, GOREGAON, MUMBAI**

**Order Below Exh.1**

**IN**

**ANTICIPATORY BAIL APPLICATION NO.280 OF 2021**

**IN**

**C.R.NO.372 OF 2020**

**1.Mrs. Asama Sameer Gilani,**

Age : 46 years, Indian Inhabitant of Mubbai,  
Residing at :Flat No.101, 1<sup>st</sup> Floor,  
Zidane Apartment, Cross Pahtadi Lane,  
Near Almeda Bungalow, Andheri (West),  
Mumbai-400 061.

**2.Mrs. Zinnira Sohail Khan,**

Age 24 years, Indian Inhabitant of Mubbai,  
Residing at : Room No.55, Meer Husain  
Tangewala Chawl, Behind Andheri  
Municipal Market, S.V.Road,  
Andheri (West), Mumbai-400 058.

**3.Mr. Mehboob Noor M. Gilani,**

Age : 59 years, Indian Inhabitant of Mubbai,  
Residing at : 201, Sher Benu Manzil  
Mandvi Galli, J.T.Choki, Versova,  
Andheri (West), Mumbai-400 061.

**4.Mrs. Noorebasar Andulrajjak Mansuri,**

Age : 64 years, Indian Inhabitant of Mubbai,  
Residing at : 202, Rukhsar Manzil,  
Tere Galli, Jama Masjid, Andheri (West),  
Mumbai-400 061. ....Applicants/Accused.

**V e r s u s****The State of Maharashtra**

(Versova Police Station)

...Respondent.

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Mr Rajesh D Dubey Advocate for the Applicants/accused.  
Miss R.S. Kanojia A.P.P for the State.  
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**CORAM : A.Z.KHAN,  
Additional Sessions Judge,  
Borivali Division, Dindoshi.  
(C.R.NO.15)  
Dt.23.03.2021**

**O R D E R**

1. The present application is filed by the applicants/accused for the Anticipatory Bail. Perused the application and say thereon vide Exh.3. Heard the learned Mr Rajesh D Dubey Advocate for the applicants/accused & learned Miss R.S. Kanojia APP for the State. I have gone through the record including case diary & say of the police. It is seen that the offence came to be registered against the present applicants/accused alongwith the other accused vide crime No.372 of 2020 at P.S Versova u/s 452, 509, 323, 504 & 506 r/w 34 of the I.P.C.

2. It is pertinent to note here that the report lodged by the complainant namely Shahid Sharif Shaikh Dt.05/10/2020 alongwith the statements of the witnesses etc shows that the complainant who is working in the office boy of the Maharashtra Navnirman Sena Party office at Versova Gaon, Andheri (West), Mumbai and the other accused namely Samir Gilani and Moosa Gilani entered into the office of the Maharashtra Navnirman Sena on 04/10/2020 and manhandled the complainant and others. No doubt, the police has arrested the main

accused and the Trial Court has granted the bail to them but there is no specific names of the present applicants/accused in the report and there is no specific role of the present applicants/accused mentioned that they were involved in the said crime. All the offences are triable by Magistrate and nothing has to be seized from the applicants/accused.

3. Needless to say that the accused No.1 is the permanent resident at Flat No.101, 1<sup>st</sup> Floor, Zidane Apartment, Cross Pahtadi Lane, Near Almeda Bungalow, Andheri (West), Mumbai-400 061, the accused No.2 is the permanent resident at Room No.55, Meer Husain Tangewala Chawl, Behind Andheri Municipal Market, S.V.Road, Andheri (West), Mumbai-400 058, the accused No.3 is the permanent resident at 201, Sher Benu Manzil Mandvi Galli, J.T.Choki, Versova, Andheri (West), Mumbai-400 061 & the accused No.4 is the permanent resident at 202, Rukhsar Manzil, Tere Galli, Jama Masjid, Andheri (West), Mumbai-400 061. The investigation is almost completed but the Investigation Officer can investigate the matter without their personal presence & the custodial interrogation of the present applicants/ accused. The present applicants/accused are ready to abide all the terms & conditions imposed by the court & there is a Corona Pandemic rising in Mumbai & jail is also not the exception by which the detention of the accused can not be justified if some reasonable conditions are imposed.

4. In such circumstances, I am of the view that this is the fit case in which the applicants/accused can be released on anticipatory bail u/s 438 of The Cr.P.C & thus I proceed to pass the following order.

**ORDER**

The application is hereby allowed.

The applicants/accused **1.Mrs. Asama Sameer Gilani, 2.Mrs. Zinnira Sohail Khan, 3.Mr. Mehboob Noor M. Gilani & 4.Mrs. Noorebasar Andulrajjak Mansuri** be released in the crime bearing No.372 of 2020 u/s 452, 509, 323, 504 & 506 r/w 34 of the I.P.C registered by Versova Police Station on furnishing P.R & S.B of Rs.15,000/-(Rupees Fifteen Thousands Only) each with solvent surety in the like amount in the event of the arrest.

The applicants/accused shall not tamper with the prosecution witnesses or evidence in any manner & remain present before the I.O as & when called at Versova Police Station.

**(A.Z.Khan)**  
Additional Session Judge  
Borivali Div, Dindoshi,  
Mumbai.

**Date :23.03.2021.**

Dictated on :23.03.2021.  
Typed on :23.03.2021.  
Signed on :23.03.2021.

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

23.03.2021 at 06.00 P.M.  
UPLOAD DATE AND TIME

(A.S.SUGDARE)  
NAME OF STENOGRAPHER

|                                          |                                         |
|------------------------------------------|-----------------------------------------|
| Name of the Judge (With Court room no.)  | <b>SHRI. A. Z. KHAN</b><br>(C.R. NO.15) |
| Date of Pronouncement of JUDGMENT/ ORDER | 23.03.2021                              |
| JUDGMENT/ORDER signed by P.O. on         | 23.03.2021                              |
| JUDGMENT/ORDER uploaded on               | 23.03.2021                              |