

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION  
NO. 1596 OF 2022**

[Mrs. Khairunnisa Yunus Shaikh vs. The State of Maharashtra through  
Indira Nagar Police Station]

This is an application under section 438 of the Criminal Procedure Code, 1973 for grant of anticipatory bail in crime no. 157 of 2022 registered with Indira Nagar Police Station under sections 328, 389, 392, 419, 420 read with 34 of the I. P. C.

02] The applicant contended that she is innocent and not committed any offence. She is falsely implicated in the crime. She has not played active role in the crime. She has never forced the complainant for her wrongful gain. There is no overact of her in the crime. She has no criminal antecedent. She is permanent resident of the address mentioned in the application. She will not abscond or jumped over the bail. She is ready to abide by any conditions imposed by the court. Already accused nos. 2 to 5 are released on bail. Hence parity applies. Hence, she has prayed for grant of anticipatory bail.

03] APP filed say at Ex. 06 and I. O. filed say at Ex. 07. They have stated that the offence is of serious nature. All the accused preplanned the offence. The accused gave intoxicated liquid to him. One of the female accused sat on the lap of the complainant and took his photos in compromise position. Blackmailed him by making the photos viral and took Rs. 95,000/- from him. The present accused is not found. She took Rs. 8,000/- as her share. If she is released on bail, she will abscond and the other required accused will not be found. They have prayed for rejection of the bail application.

04] Heard the learned counsel for the accused and learned APP. They have argued as per their stand taken as above.

05] I have gone through the application, say, documents and

arguments on record. The role of the present accused is limited and she came after the offence took place. She is not seen in the C.C.T.V. footage. The accused nos. 2 to 5 are released on regular bail. She is lady and have no criminal antecedent. By imposing suitable terms and conditions, she can be released on anticipatory bail. Hence, the following order.

### **ORDER**

- 01] Application is allowed.
- 02] In the event of arrest, the accused namely Mrs. Khairunnisa Yunus Shaikh be released on bail on executing personal bond of Rs. 50,000/- with one or more surety in the likewise amount each in crime no. 157 of 2022 registered with Indira Nagar Police Station under sections 328, 389, 392, 419, 420 read with 34 of the I. P. C., to the satisfaction of I. O.
- 03] The applicant should attend the concerned Police station in between 11.00 a. m. to 02.00 p. m. from dated 05.01.2023 to 07.01.2023 and should attend the police station as and when her attendance is required by police and help the police in investigation.
- 04] She shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any police officer to tamper with the evidence.
- 05] She shall not tamper the prosecution evidence in any manner.
- 06] She shall not leave India without permission of this court.
- 07] She shall not commit similar type of offence.
- 08] She shall furnish her detailed address with proof and her mobile number.

09] Inform the concerned Police station accordingly.

Date : 03.01.2023

(R. R. Rathi)  
Additional Sessions Judge-6,  
Nashik.