

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.**

CRIMINAL APPLICATION NO. 6006 OF 2015

Ushabai w/o Vinayak Sonwane

... Applicant

VERSUS

The State of Maharashtra.

... Respondent

.....
Mr Sachin S. Panale, Advocate for the applicant
Mrs M. A. Deshpande, APP for respondent-State
.....

CORAM : **INDIRA K. JAIN, J.**
DATE : **27TH NOVEMBER, 2015.**

PER COURT:

. Here is an application for pre-arrest bail in Crime No. I-222/2015 registered at Kannad Police Station, Tq. Kannad, Dist. Aurangabad, for the offences punishable under Sections 307, 143, 147, 148, 149, 324, 341, 323, 504 of the Indian Penal Code and Section 135 of the Bombay Police Act.

2. Heard learned counsel for parties. Perused papers of investigation.

3. It is the case of prosecution that on 17th October, 2015 at 10:10 p.m., Deepak Jadhav nephew of complainant Vilas B. Jadhav had been to his house. Deepak informed Vilas that while he was proceeding towards their field for watering the crops applicants with others obstructed him in front of house of applicant No. 1 Vinayak near pendol of goddess. Applicants and others abused and assaulted Deepak with kicks and fists. Thereafter complainant along with his wife, son and neighbourers had been to the house of applicant No. 1 to pacify them. It is alleged that at that time complainant and witnesses were assaulted by means of sticks and stones. They sustained grievous injury on the vital part of the body. On 18th October, 2015 report was lodged.

4. On perusal of F.I.R. it could be seen that no specific role is attributed to the applicant. Incident occurred in front of her house. There is no whisper in F.I.R. or in statements of witnesses that applicant was carrying any weapon with her. Cross-complaints have been lodged in respect of the same incident.

5. In this background and since no role is attributed to applicant, this Court finds it fit to confirm the *ad interim* relief granted

to the applicant vide order dt. 6th November, 2015 and allow the present application. Hence the following order.

ORDER

- (i) Criminal Application No. 6006 of 2015 is allowed.
- (ii) In the event of arrest of applicant Ushabai w/o Vinayak Sonwane in Crime No. I-222/2015 registered at Kannad Police Station, Tq. Kannad, Dist. Aurangabad, for the offences punishable under Sections 307, 143, 147, 148, 149, 324, 341, 323, 504 of the Indian Penal Code and Section 135 of the Bombay Police Act she shall be released on her furnishing P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand only) each.
- (iii) Applicant shall not tamper with the prosecution evidence and shall make herself available as and when required by the Investigating Agency.

[INDIRA K. JAIN, J.]