

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

Criminal Application No. 4880 of 2016
(In Criminal Application No. 182 of 2016)

District : Jalgaon

Sangitabai Ravindra Patil,
Age : 40 years,
Occupation : Household,
R/o. Sarve (Bk.),
Taluka : Pachora,
District : Jalgaon. .. Applicant.

versus

The State of Maharashtra
(Through Pachora Police
Station, Dist. Jalgaon). .. Respondent.

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*Mr. R.A. Jaiswal, Advocate, holding for
Mr. N.S. Ghanekar, Advocate, for the applicant.*

*Mr. S.P. Sonpawale, Addl. Public Prosecutor,
for the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 4TH OCTOBER 2016

ORAL ORDER:

Heard the learned Counsel appearing for the
applicant as well as the learned Addl. Public
Prosecutor appearing for the respondent.

2. The learned Counsel for the applicant submitted that in respect of the co-accused, condition to stay away from the village was relaxed by the learned Addl. Sessions Judge on 12.05.2016. He further argued that a co-accused has been released on bail without such condition.

3. The learned Addl. Public Prosecutor opposed the application by contending that witnesses are resident of the same village and there is possibility of tampering evidence of the prosecution.

4. While granting bail, the applicant, who is a woman, was restrained from entering in the jurisdiction of the concerned Police Station. Now, with passage of time, the charge-sheet has been filed and the order dated 12.05.2016 of the learned Addl. Sessions Judge goes to show that the trial is about to begin. Prima facie it is seen that the prosecuting party and accused are on hostile terms. There is no tangible material to infer that there will be tampering of evidence of the prosecution.

5. Hence, I pass the following order :-

(a) The Application is allowed.

(b) The condition directing the applicant to keep away herself from the jurisdiction of the concerned

Police Station but for Court proceedings, is relaxed.

6. The Application stands disposed of in the
aforesaid terms.

(A.M. BADAR)
JUDGE

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