

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 836 OF 2017**

Mina Sadharam Waghmare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Sagar Tambe I/b Mr. Tapan Thatte for the Applicant

Mr. Y. M. Nakhawa, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 12th JUNE, 2017

P.C.

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 177 of 2017 registered with the Wakad Police Station, Pune, for the alleged offences punishable under Sections 143, 147, 148, 149, 332, 353, 233, 504 and 506(1) of the Indian Penal Code.
3. Learned Counsel for the applicant submits that the only allegation against the applicant is that the applicant incited the other accused to commit the offences by uttering the words mentioned on page

No. 3 of the application. Admittedly, the applicant has not assaulted the police officers.

4. Learned A.P.P, states on instructions that the applicant has attended the concerned Police Station as directed by this Court.

5. Admittedly, the applicant has not assaulted any of the police officers. The only allegation is that she instigated the other accused to commit the offence. Considering the role of the applicant, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet;

(iii) The applicant shall inform her latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The applicant to cooperate with the conduct of the trial.

6. The application is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.