

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (BA) NO. 558 OF 2017

(SAPNA MUKESH MAURYA...VS.. STATE OF MAH. THR. P.S.O. GANESHPETH, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Anil Mardikar, Sr. Advocate a/b. Shri P.S.Jaiswal, Advocate for
Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 01, 2017.

Heard.

The applicant is arrested on 7th May, 2017 in crime registered against her and 5 others (all members of the applicant's family) for the offences punishable under Sections 302, 143, 148 and 149 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

The applicant and the deceased had been neighbours. The incident is outcome of the dispute over accumulation of waste water of hand-pump. The deceased was assaulted by all the accused by fist blows, sticks and accusations against the applicant are that she assaulted the deceased by iron frying instrument (sarata).

The application is opposed on the ground that the applicant has caused as many as 7 injuries and as the family of the deceased resides in the neighbourhood of the applicant there is a chance of some untoward happening if the applicant is released on bail.

The applicant, woman aged about 34 years, claims that she is having five year old daughter who is mentally retarded. The applicant has stated that she is not involved in any other crime/ offence.

The non-applicant has not been able to point out that the custody of the applicant is required for further investigation.

Considering the nature of the incident and the facts of the case, following order is passed:

The applicant having been arrested in Crime No. 142 of 2017, registered by the non-applicant, she be released on bail on executing P.R. Bond for Rs.Twenty Five Thousand and furnishing two solvent sureties in the like amount.

The applicant shall not enter the area of Bajeria, Nagpur till 30th June, 2018.

The application is **allowed** in the above terms.

CRI.APPLN.(APPP) NO.1012/2017.

In view of disposal of the bail application, the application praying for time to file certified copy of Exh.1 and FIR does not survive, hence, it is **disposed of**.

JUDGE