

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.1170 OF 2019

Ambika Arjun Pawar

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Raviraj R. Paramane, for the Applicant.

Smt. A. A. Tokalkar APP, for the Respondent- State.

CORAM : PRAKASH D. NAIK, J.

DATE : 09th December, 2019

P.C.:

1. The applicant is arrested on 13th June 2018 in connection with C.R No. I-226 of 2018 registered with Panchavati Police Station, Nashik, for the offences punishable under Sections 302, 307, 324, 143, 147, 148, 149 and 120-B of the Indian Penal Code ('IPC' for short).
2. The prosecution case is that, the informant is the brother of deceased. There was previous enmity between accused, deceased

and informant. Deceased had lodged a complaint against the accused in year 2016. On 12th June 2018, the accused Jayram, Shriram and other accused had threatened the first informant and deceased. On 13th June 2018, at around 09:00 a.m., accused Jayram, Shriram, Dashrath and applicant came at the place where deceased and others were present. The accused were armed with weapons, like metal rod, choppers, wooden log. The applicant was carrying chilly powder. The applicant threw chilly powder on first informant and deceased. The other accused assaulted them with weapons. The deceased Anil succumbed to the injuries. The FIR was lodged on 13th June 2018 and on completing investigation charge sheet is filed.

3. The learned advocate for the applicant submitted that, the applicant is lady and she has two minor children. She is in custody since June, 2018. The only role attributed to her is that, she has thrown chilly powder on the informant and deceased. The co-accused who were attributed role of assault by wooden log has been granted bail by this Court.

4. Learned APP submitted that there are eye witness to the incident. Specific role is attributed to the applicant. CA report indicates that chilly powder was found on the cloths of the injured and the deceased. The other accused had assaulted injured and deceased.

5. It is noted that the co-accused were armed with weapons like sickle, iron rod and wooden log. The applicant had allegedly threw chilly powder. She is the sister of the co-accused. The person who assaulted by wooden log has been granted bail by order dated 07th February, 2019 passed in application No. 437 of 2019. The applicant is lady and she is in custody since 13th June 2018. Considering these circumstances bail can be granted to the applicant.

ORDER

(i) The applicant is directed to be released on bail in connection with C.R No. I-226 of 2018 registered with Panchavati Police Station, Nashik on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;

(ii) The applicant shall report concerned police station once in a month on every first Saturday between 10:00 a.m. to 12:00 p.m., till the further order.

(iii) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)