

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

CRIMINAL BAIL APPLICATION NO. 3434 OF 2018

Jayshree Digambar Agawane ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Viresh V. Purwant a/w Sachin H. Deokar for Applicant.

Ms. J. S. Lohokare, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 10, 2019.

P.C. :

. In Crime No. 457 of 2018 punishable under Sections 307, 353, 332, 333, 143, 147, 148, 149, 109, 120-B, 504 & 506 of the Indian Penal Code and Sections 37(1)(3) and 135 of the Mumbai Police Act, the Applicant is seeking regular bail. The Applicant was arrested on 30th November 2018.

2. Mr. Purwant, the learned Counsel for Applicant would urge that the present Applicant went to the police station to lodge complaint as she was not aware about the whereabouts of her husband who was sitting

on hunger strike from last few days. According to her no conspiracy could be alleged against her, particularly when there is no material to infer the necessary ingredients. According to the learned Counsel, further detention of the Applicant is not required.

3. *Per contra*, the learned APP submits that the Applicant is a politically influential person who has instigated the followers of her husband who belongs to National Political Party and attacked the police station and the police staff. According to the learned APP, if she is released on bail, there are chances of recurring of similar type of offences and completely false message will be sent in the society.

4. Considered rival submissions.

5. The Applicant was already subjected to custodial interrogation after her arrest on 30th November 2018. The perusal of the case-diary reflects that the investigation *qua* the role attributed to the Applicant and to the extent of her involvement in the crime in question is almost completed. In the aforesaid eventuality, in my opinion, the Applicant – a woman deserves to be released.

6. That being so, The Applicant has made out a case for grant of bail. Hence, the following order.

ORDER

- (A) The Applicant be released on bail in Crime No. 457 of 2018 punishable under Sections 307, 353, 332, 333, 143, 147, 148, 149, 109, 120-B, 504 & 506 of the Indian Penal Code and Sections 37(1)(3) and 135 of the Mumbai Police Act, on executing PR Bond of Rs. 50,000/- with two sureties in the like amount.
- (B) Till filing of the chargesheet, Applicant shall keep herself away from the jurisdiction of the Superintendent of Police, Satara.
- (C) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

7. Criminal Bail Application stands allowed in above terms.

(NITIN W. SAMBRE, J.)