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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3096 OF 2021

1. Sindhubai Natyaba Mane	
2. Sonali Santosh Chavan	...Applicants
Versus	
The State of Maharashtra	...Respondent

Ms. Manisha Devkar for the Applicants.

Mr. A.A.Palkar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 20th SEPTEMBER, 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicants seek their enlargement on bail in connection with C.R.No. 224 of 2021, registered with the Velapur Police Station, Solapur, for the alleged offences punishable under Sections 302, 323, 504, 506, 143 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

3. Learned Counsel for the applicants submits that the applicants are ladies and the applicant No.2 is aged 23 years and has a child of two years. She submits that the death of the deceased – Ashok Shinde was not an outcome of the assault by the applicant alongwith others, but on account of Myocardial Infraction. The learned APP has tendered the Post Mortem Report of the deceased – Ashok Shinde. The same is taken on record.

4. Perused the papers. The applicants are the neighbours of the complainant and the complainant – Rahul is the son of the deceased – Ashok. According to the complainant – Rahul, the incident took place on 26th July, 2021. He has stated that as the cattles of the accused were seen on the cement concrete road passing from the house of the accused, the deceased stopped and asked the accused including the applicants as to why they were keeping their cattles on the road, as it was difficult for his son to get the car in the compound. It is alleged that all the accused threatened the deceased and assaulted him with fist and kicks blows and that all the accused including the applicants/ladies, lifted the deceased -Ashok and threw him on the ground, as a result of which, he became unconscious. *Prima facie*, it appears that the incident took place at the spur of the movement. The post mortem report of the deceased reveals that the cause of death was;

*“Ischemic pale area in sub endocardial area of Rt. ventricle suggestive of Myocardial Infraction.
Opinion reserved for chemical analysis of viscera.”*

5. The applicants are ladies and as such, in the facts, their further detention is not warranted. Accordingly, the application is allowed and the applicants are enlarged on bail on the following terms and conditions;

ORDER

(i) The applicants be released on cash bail in the sum of Rs. 5,000/- each, for a period of six weeks;

(ii) The applicants shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 5,000/- each with one or two sureties in the like amount;

(iii) The applicants shall inform their latest places of residence and mobile contact numbers, if any, soon after being released on bail and/or if there is any changes of residence or mobile details, time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The applicants to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;

(v) The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

6. The application is allowed in the aforesaid terms and is accordingly disposed of.

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

REVATI MOHITE DERE, J.