

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

CRIMINAL APPLICATION NO.412 OF 2018

The State Of Maharashtra

.. Applicant

Vs.

Ms. Gudiya Nee Vijeta Mahendra Thakur .. Respondent

...

Mr.S.R. Agarkar, APP for the State/Applicant.

None for Respondent.

API. Rajendra Sable, Waliv police station, present.

...

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**CORAM : PRAKASH D. NAIK, J.
DATE : 29th SEPTEMBER, 2021**

PC.

1. The State has preferred this application challenging the order dated 07.03.2018 passed by learned Additional Sessions Judge-1, Vasai, granting anticipatory bail to respondent. The First Information Report (for short "FIR") was lodged with Waliv police station vide C.R. No.I-100 of 2018 for the offences under Sections 302, 323, 324, 143, 147, 148, 149 of the Indian Penal Code and Sections 3, 25 of the Arms Act and Sections 3(1)(x) of Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act.

2. The respondent and others had preferred application for anticipatory bail which was allowed by order dated 07.03.2018. While allowing the said application learned Judge has observed

that Mahendra Thakur has fired at victim, who died at the spot. There is cross case. There was rioting between two groups. The main accused and victim were friends. The incident had occurred at spur of moment. The role attributed to respondent is that she held the complainant and his brother and restrained them from helping victim. The arrested accused were released on bail.

3. Learned APP, on instructions, submitted that pursuant to interim order, investigation was completed and charge sheet is filed.

4. Considering the factual aspects, I do not find any reason to interfere with impugned order.

ORDER

Criminal application No.412 of 2018 is rejected and disposed of.

(PRAKASH D. NAIK, J.)