

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 ANTICIPATORY BAIL APPLICATION NO.263 OF 2022

VANDANA DARAKHNATH JADHAV (VANDANA DWARKANATH JADHAV)

AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. N.B. Narwade, Advocate for applicants

Mr. V.M. Kagne, APP for the respondent

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 05th APRIL, 2022

ORDER :

1 The applicants are apprehending their arrest in connection with Crime No.90/2022 dated 03.02.2022 registered with Newasa Police Station, Dist. Ahmednagar, for the offence punishable under Section 326, 324, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mr. N.B. Narwade for applicants and learned APP Mr. V.M. Kagne for the respondent. In order to cut short, it can be said that they have argued in support of their respective contentions.

3 The applicants before this Court are the ladies. Perusal of the First Information Report would show that the allegations against them are that applicant Nos.1 and 3 had caught hold of wife of the informant and made her to lie on the ground and applicant No.2 had assaulted her with wooden stick. They had given threat for assault to her. Except this, there are no allegations against the applicants. The stick has been seized from the accused, who has been arrested. The police papers show that there is no injury certificate of Hirabai – wife of the informant. It has been then orally clarified by the learned APP that Hirabai has not taken treatment from any hospital. Under such circumstance, at the most, those allegations against the applicants would attract offence under Section 323 of the Indian Penal Code individually, which is bailable and, therefore, the interim protection granted earlier to them deserves to be confirmed. Accordingly, it is confirmed. Hence, following order.

ORDER

1 Application stands allowed.

2 The ad-interim protection, granted by this Court earlier to applicants vide order dated 07.03.2022, is hereby confirmed and made absolute. In other words, if the applicants are not formally arrested, in the

event of arrest of the applicants viz. 1) **Vandana Darakhnath Jadhav (Vandana Dwarkanath Jadhav)**, 2) **Anubai Somnath Jadhav (Anutai Somnath Jadhav)** and 3) **Manda Shivaji Jadhav (Sunanda Shivaji Jadhav)**, in connection with Crime No.90/2022 dated 03.02.2022 registered with Newasa Police Station, Dist. Ahmednagar, for the offence punishable under Section 326, 324, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, 1860, they be released on P.R. Bond of Rs.30,000/- (Rupees Thirty Thousand only) each with two solvent sureties of Rs.15,000/- (Rupees Fifteen Thousand only) each.

3 The applicants shall not indulge in any criminal activity nor they should tamper with the prosecution evidence, in any manner.

4 They should cooperate with the investigation.

(Smt. Vibha Kankanwadi, J.)

agd