

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

4 ANTICIPATORY BAIL APPLICATION NO.405 OF 2022

**YASHODABAI SUPDU KOLI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr.G.R. Syed h/f. Mr.A.R. Syed, Advocate for the applicant.
Mr.A.M. Phule, APP for the respondent/State.

**CORAM : SMT. VIBHA KANKANWADI, J.
DATED : 02.05.2022**

PC :-

01. The applicant is apprehending her arrest in connection with Crime No.70 of 2022 registered with Pahur Police Station, Dist. Jalgaon for the offences punishable under sections 307, 323, 504, 506 read with section 34 of the Indian Penal Code.

02. Heard Mr.G.R. Syed h/f. Mr.A.R.Syed, learned Advocate for the applicant and Mr.A.M. Phule, learned APP for the respondent/State. In order to cut-short, it can be stated that both of them have vehemently made submissions in support of their respective contentions.

03. Perusal of the FIR would show that it has been lodged by one

Latabai Prakash Koli on 07.03.2022 around 13=10 hours in respect an incident that had allegedly taken place between 15=00 to 15=30 hours on 06.03.2022. While describing the alleged incident as regards the present applicant is concerned, she has stated that the applicant had slapped and abused her. The acts attracting offence under section 307 of the IPC are against co-accused – Supdu Koli.

04. Perusal of the police papers would show that statements of witnesses have been recorded and same role as stated in the FIR has been attributed to the present applicant including by independent witness – Faridabai Fakira Tadv. The police papers at present do not contain the medico-legal certificate. However, taking into consideration the role attributed by almost all the witnesses would at the most attract offences under sections 323, 504 and 506 of the IPC, which are basically bailable. As regards, common intention is concerned, it has to be considered by the Trial Court after the entire evidence. Therefore, the interim protection granted by this Court on 11.04.2022 to the applicant deserves to be confirmed. Accordingly, it is confirmed.

05. The application is accordingly allowed and disposed of.

[SMT. VIBHA KANKANWADI, J.]