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

ANTICIPATORY BAIL APPLICATION NO.937 OF 2022

**HINA RIKUL CHAVAN @ HINA JAYSINGH BHOSALE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Sapkal Sandip R
APP for Respondent/State : Mr. S.B. Narwade
...

CORAM : S.G. MEHARE, J.

DATED : 28th JULY, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The prosecution has a case that the victim had raised a hand loan of Rs.10,000/- from the husband of the present applicant. The husband of the applicant went to the house of the victim on 06.09.2021 and demanded her Rs. 3 lacs. The victim said him that she has taken Rs.10,000/- only from him, then he abused her in filthy language. Thereafter, all the other co-accused went to her home. The applicant Hina also demanded her money. The accused also assaulted her daughter when she was sitting on the platform in front of her house. All the lady accused boiled the oil in front of the house of other co-accused Alifa and poured that boiled oil on her person. The victim was hospitalized and had thermal burn injuries. The injuries

were grievous. The applicant has played the active role in bringing the oil for boiling. Therefore, the applicant is not entitled to anticipatory bail.

3. Learned counsel for the applicant would submit that the victim has submitted an affidavit before the learned Sessions Court contending that the co-accused Alifa was not present on the spot of incident. She has played no role. She has no grievance against her. She has also deposed before the Court that she has no apprehension. She has also stated that while cooking, the boiled oil fall on her body and she burned. These facts have been considered by the learned Sessions Court while granting anticipatory bail to Alifa. He would submit that this affidavit is relevant and applicable to the present applicant also.

4. Perused the papers and application filed by the applicant as well as the affidavit sworn in by the first informant/victim. The allegations were levelled against Alifa that she has poured the boiled oil on her person. Considering the allegations levelled against the applicant, her role is not active compared to the role played by Alifa. Nothing appears to be recovered from the applicant. Therefore, the application deserves to be allowed. Hence, the following order :

ORDER

(A) The Application is allowed.

(3)

(B) In the event of arrest, the applicant, Hina Rikul Chavan @ Hina Jaysingh Bhosale, be released on bail, on executing P.B. and S.B. of Rs.15,000/- (Fifteen Thousand) with one solvent surety in the like amount in Crime No.620 of 2021 registered with MIDC Police Station, District Ahmednagar for the offence punishable under Sections 307, 143, 147, 149, 323, 504 of the Indian Penal Code,, on the condition that she shall attend the police station as and when called by the Investigating Officer on written notice and shall not tamper with the prosecution witnesses.

(S.G. MEHARE, J.)