

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.54 OF 2023

Sadhana W/O. Ganesh Bhosale

...Applicant

Versus

The State Of Maharashtra & Another

...Respondents

Mr. B.S. Doifode, Advocate for the applicant.

Mr. A.V. Deshmukh, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th JANUARY, 2023

ORDER :

1. The applicant apprehends arrest in Crime No. 355/2022, registered with Pimpalgaon Police Station, Jalgaon, for offences punishable under sections 302, 326, 323, 504 of the Indian Penal Code.

2. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

3. The applicant is not named in the FIR, which is lodged against the husband and father-in-law of the applicant.

FIR is lodged on 28.11.2022 at 23.54 hours. For the first time in the supplementary statement of informant recorded on 16.12.2022, the applicant is implicated in the alleged offence. It is alleged that the applicant assaulted informant and his mother with fists and slaps.

4. Husband and father-in-law of the applicant are already arrested on 29.11.2022 and 30.11.2022, and they are in custody.

5. During the investigation, there is no material to show involvement of applicant in the alleged crime except the supplementary statement recorded on 16.12.2022. Prima facie, it appears that the applicant is involved in the present crime afterthought.

6. Applicant was granted interim protection and she was directed to co-operate in the investigation. The applicant has attended the police station and has co-operated in the investigation. Nothing is to be recovered from the applicant. In the facts of the present case, pre-trial custodial detention of the applicant is not necessary.

7. In the result, application is allowed by confirming interim protection granted to the applicant.

8. Till filing of charge sheet, applicant shall attend the concerned police station as and when called by the investigation officer and shall co-operate in the investigation. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]