

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

ANTICIPATORY BAIL APPLICATION NO.70 OF 2023

**AHILYABAI GOKUL BHAGAT @ MANISHA GOKUL PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. Mehta Punit S
APP for Respondents: Mr. K. S. Patil

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CORAM : S. G. MEHARE, J.

DATE : 13.02.2023

PER COURT :

1. Heard learned counsel for the applicant and learned A.P.P for the state.
2. The applicant is seeking anticipatory bail in crime No. 489 of 2021, registered with Pahur Police Station, District Jalgaon for the offence punishable under Sections 307, 326, 324,143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code.
3. The learned counsel for the applicant would argue that considering the role attributed to the applicant and injury suffered to the injured, her custodial interrogation is not required. The weapon allegedly used in the crime has been recovered from the other co-

accused. She has been falsely implicated in the crime. Police also did not arrest her since her custodial interrogation is not essential.

4. Per contra the learned A.P.P has strongly opposed the application. He would argue that though the weapon allegedly used in the crime has been seized from the other co-accused, her custodial interrogation is required for collecting other traceable evidence. He would argue that the applicant avoiding her arrest. There is direct evidence that she assaulted the injured on his head. She has no case for anticipatory bail. Hence, the application may be rejected.

5. Perused the charge sheet. There are direct allegations against the applicant that she assaulted injured with a wooden stick on head and caused him injury. What is nature of injury is not material. There appears substance in the argument of learned A.P.P that there may be traceable evidence like blood stains on clothes and in nail and that is essential to prove the charges. Considering the facts of the case, the role attributed to the applicant and the injury suffered by the injured, the Court is not inclined to grant anticipatory bail. Hence, the application stands dismissed.

(S. G. MEHARE)
JUDGE