

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.78 OF 2023

Chhayabai W/o. Haribhau Thorat	 Applicant
Versus	
The State of Maharashtra	
and another	 Respondents

.....

Mr. Dhananjay R. Gavhad, Advocate for the Applicant
Mr. V.S. Badakh, APP for Respondents – State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th FEBRUARY, 2023

ORDER :

1. The applicant apprehends her arrest in connection with Crime No. 376 of 2022 registered with Shillegaon Police Station, District Aurangabad (Rural) for offences punishable under sections 143, 147, 148, 149, 307, 326, 324, 325, 323, 504, 506 of the Indian Penal Code.

2. FIR is lodged by Sunil Bhausahab Gaikwad alleging that on 08/11/2022, accused persons namely Babasaheb Thorat, Gautam Thorat, Akash Thorat, Sagar Thorat, Ashish Thorat assaulted the informant and his family members with chopper, iron rod, and axe. At that time, Anjanabai Gautam Thorat, Haribhau Kachru Thorat and the present applicant assaulted his mother and sister with fist and kick blows.

3. Heard learned advocate for the applicant and learned Additional Public Prosecutor for the State. Perused the investigation papers.

4. There are 3 injured persons in the present crime. The allegation against the applicant is that she along with co-accused assaulted mother and sister of the informant with fist and kick blows. Their injury certificate is not on record. Learned Additional Public Prosecutor, on instructions, submits that they have not gone to the hospital.

5. Considering the facts of the present case and as nothing is to be recovered from the applicant, pre-trial custodial detention of the applicant is not necessary.

6. In the result, the application is allowed. In the event of arrest of applicant in connection with Crime No. 376 of 2022 registered with Shillegaon Police Station, District Aurangabad (Rural) for offences punishable under sections 143, 147, 148, 149, 307, 326, 324, 325, 323, 504, 506 of the Indian Penal Code, the applicant shall be released on bail on executing Personal Bond of Rs.15,000/- with one surety in the like amount.

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

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane