

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

ANTICIPATORY BAIL APPLICATION NO.1324 OF 2022

**SHOBHA W/O VISHWANATH RATHOD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. Gorakhnath Kendre, Advocate h/f Mr. J.M. Murkute, Advocate for
Applicants
Mr. V.S. Badakh, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 20th FEBRUARY, 2023

PER COURT :

1. Applicants apprehend arrest in Crime No.322/2022, registered with Chandanjira Police Station, Jalna, for offence punishable under sections 323, 395, 504, 506 of the Indian Penal Code.

2. FIR is lodged by Trimbak Suryabhan Mane against 7 accused persons, 5 named in the FIR and 2 unknown. It is alleged that informant owns and possess land Gut No.254, admeasuring 18 R, which is purchased on 08/03/2022, from the original owner Sandip Haribhau Golde for consideration of Rs.80 Lakhs. Accused persons are causing obstruction to the informant from cultivating the land and are demanding money. On 17/08/2022, informant gave complaint to the Chandanjira Police Station against accused

persons. On 25/08/2022, at about 08:00 a.m. when the informant was working in the field, accused persons including present applicants and two unknown persons came there and told informant that the land belongs to them and why he is carrying out agricultural operations there. Informant called his brother and wife, who came to the field. Thereafter there was scuffle between the informant's side and accused persons. Accused Vishwanath threw poison from the bottle on the mouth and person of his wife. 2 unknown accused persons who accompanied applicants snatched cash of Rs.1 Lakh from the informant's brother Radhakisan Mane by pointing sickle at him. Thereafter all the accused persons fled from the spot.

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

4. The Offence is allegedly committed over the land dispute. Both the applicants are women. There does not appear any active role played by the present applicants in the alleged crime. Main allegations are against the male members and two unknown persons who are yet to be arrested.

5. Interim protection was granted to the applicants and they have cooperated in the investigation. Applicants being women

and since nothing is to be recovered from them, custodial interrogation of applicants is not necessary in the facts of the present case.

6. In the result, application is allowed.

7. In the event of arrest of applicants in Crime No.322/2022, registered with Chandanjira Police Station, Jalna, for offence punishable under sections 323, 395, 504, 506 of the Indian Penal Code, applicants be released on executing Personal Bond of Rs.15,000/- each, with one surety in the like amount. Till filing of charge-sheet, applicants shall attend concerned police station as and when called by investigating officer. Applicants shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)