

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

997 BAIL APPLICATION NO.2170 OF 2022

SANDHYA W/O. ANIL WADHAVE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Gangakhedkar Shailendra S.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 12.01.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The offence is grave and serious. But, the role attributed to the applicant with the alleged incident has to be scrutinized. It is not in dispute that the applicant was not named in the FIR. However, in a supplementary statement of the first informant, her name surfaced and thereafter the statements of the witnesses have recorded and they surfaced the name of the applicant as one of the member of the assailants. They alleged against the applicant that she hold the deceased and facilitated the other co-accused to commit the crime.

3. Learned APP would submit that *prima facie* evidence is available against the applicant. The offences are serious. Hence, she may not be released on bail.

4. Perusal of the charge sheet reveals that the applicant was not named in the FIR. The first informant was well acquainted with the applicant and her family. There appears no reason to skip her name in the FIR. Supplementary statement has its own evidential value. Considering the allegations levelled against the applicant and absence of her name in the FIR, she may be granted bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SANDHYA W/O. ANIL WADHAVE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.60 of 2022, registered by Police Station Vazirabad, District Nanded, for the offences punishable under Sections 302, 307, 143, 147, 148, 149, 504, 506 of the IPC and Section 4/25 of the Arms Act, on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-