

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

BAIL APPLICATION NO.3 OF 2023

**CHINTU @ ANJALI W/O. DIPAK SHINDE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Ms. Ashwini A. Lomte h/f Mr. Salunke
Sudarshan J

APP for Respondent/State : Mr. S.P. Deshmukh

...
CORAM : S.G. MEHARE, J.

DATED : JANUARY 18, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. It is a serious matter of double murder. However, the applicant has a case that she had lodged a report against deceased Mangesh and others before the alleged incident and the serious crime was registered against them. Therefore to take the revenge, she has been involved in the crime though she has played no role in the alleged incident. Her counsel would refer to the post-mortem report of the deceased and argue that the deceased died due to the stab injuries. The persons injured did not have a injury likely to be caused by the weapon like stick. She further argued that she being the member of the family of other co-accused, has been arraigned as an accused in the crime. Nothing has been recovered from her. The

entire family members are behind the bar. Nobody is there in the family to look after the children. Hence, she may be released on bail.

3. Learned APP would argue that a serious offence has been committed. The applicant was a member of the unlawful assembly. Hence, she is equally liable for the acts committed by the other co-accused. The injured have suffered the injuries. She has played the active role in the crime. Therefore, she may not be granted bail.

4. The papers reveals that before the alleged incident, a report was lodged by the applicant against deceased Mangesh and others, then the incident happened. However, neither the deceased nor the injured had any injury that may be caused due to the hard and blunt object like stick. Nothing has been recovered from the applicant. She has the responsibility of children. Taking the facts into consideration and the nature of the allegations against the applicant, it would not be harmful to the prosecution if he would be released on bail on certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Chintu @ Anjali W/o. Dipak Shinde, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.133 of 2022, registered at Sevli Police Station, District Jalna for the offence punishable under Section 302, 326, 324, 323,

504, 506, 143, 147, 148, 149 of the Indian Penal Code, on the conditions that;

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) The applicant shall not contact the witness in any way.
- (c) The applicant should keep peace and good behaviour and shall not involve in the similar crime, till conclusion of the trial.

(S.G. MEHARE, J.)