



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2614 OF 2023**

Padmini Tanaji Maske	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Aditya S. Raktade h/f Amruta Devkat, for Applicant.
Mr. S.V.Gavand, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 14 SEPTEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.512 of 2023 registered at Islampur Police Station for the offences punishable under Section 4 read with Section 25 of the Arms Act, 1959 and Sections 326, 327, 324, 323, 427, 504 and 506 of IPC.
3. The first informant allegedly had relationship outside marriage with the co-sister of the applicant. The relations between the family of the first informant and the applicant were, thus, strained. On 26 August 2023, the applicant allegedly abused the first informant. When the first informant questioned the applicant, she and her husband Tanaji came out of the house. Co-accused Tanaji was armed with a sword. Tanaji allegedly assaulted the first informant. Co-accused Udaysingh Mote, brother of the applicant, joined the applicant and her husband and unleashed blows by means

of sword on the hands and bicep of the first informant. Hence, the report.

4. The learned Counsel for the applicant submitted that the instant FIR is a counter blast to the FIR No.509 of 2023 which was lodged by the husband of the applicant on the very next date of the occurrence i.e. 27 August 2023 for the offences punishable under Section 4 read with Section 25 of the Arms Act, and Sections 307, 326, 504 and 506 of the Indian Penal Code. In fact, the first informant was armed with a sword and given blow by means of sword to the brother in law of the husband of the applicant.

5. Evidently, in respect of the one and the same occurrence, the first informant and the husband of the applicant have reported two versions. Prima facie, it appears that the first informant had initially pelted stone on the door of the house of the applicant, as the said fact finds echo in both the FIR. The role attributed to the applicant is that of hurling abuses and assault by means of fist and kick blows.

6. In view of the aforesaid nature of the accusation and two versions about the one and the same occurrence, the custodial interrogation of the applicant does not seem warranted for effective investigation. The applicant is a woman. She has a fixed abode. The possibility of fleeing away from justice and tampering with the evidence seem to be remote. I am, therefore, inclined to exercise the discretion in favour of the applicant.

7. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Padmini Tanaji Maske in connection with C.R.No.512 of 2023 registered with Islampur Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicants shall co-operate with the investigation and report to Islampur Police Station on every Saturday from 10.00 a.m. to 1.00 a.m. for a period of one month.

(iii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The Application stands disposed.

(N.J.JAMADAR, J.)