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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.4019 OF 2023

SHOBHA PRATAP PATIL

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Satyavrat Joshi i/b. Adv. Samay Pawar for the
applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 14, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 302, 323, 143, 147, 148, 149,
504 of the Indian Penal Code (hereafter 'IPC' for short) and
under Sections 37(1)(3), 135 of Maharashtra Police Act
registered on 26.05.2019 vide C.R. No.137 of 2019 with
Shirala Police Station, District Sangli.

3. The applicant is a woman. The applicant is the
accused No.3. The applicant was arrested on 26.05.2019.

The accused Nos.1 and 2 are the husband and son of the present applicant respectively. The date of the incident is 25.05.2019 at about 10.00 p.m. It is alleged that the accused assaulted the victim.

4. Learned counsel for the applicant submitted that the role of the present applicant is that she slapped the deceased. Further she was instigating the accused Nos.1 and 2 to kill the victim.

5. Learned APP invited my attention to the materials on record to indicate the active involvement of the present applicant in the commission of the offence.

6. The applicant is in custody for more than four years and six months. Though the charge has been framed the witnesses are yet to be examined. The trial is not protracted at the instance of the present applicant. Considering the period the applicant has spent in custody as an under-trial, I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Shobha Pratap Patil in connection with C.R. No.137 of 2019 registered with Shirala Police Station shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs.25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

7. The application is disposed of.

(M. S. KARNIK, J.)