



Diksha Rane

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

BAIL APPLICATION NO.3309/2023

JYOTI BHIKAJI SHINDE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Sumit S. Kate for the applicant.

Ms. Veera Shinde, APP for the State.

WPSI Diksha Zadate, Chinchwad Police Station, Pimpri-Chinchwad.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 20, 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, 307, 326, 143, 145, 147, 148, 149 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 25/8/2023 vide C.R. No.418/2023 with Chinchwad Police Station, Pimpri-Chinchwad.

3. The applicant is a woman. There are in all three accused. The applicant is named as an accused no.3 in the

present First Information Report (FIR). The date of the incident is 25/8/2023, in the night between 1.00 a.m. and 1.30 a.m. In a cross FIR that is filed from the side of the accused, the prosecution case is that the deceased Nagesh alias Krishna Bhandari carried a sharp edged weapon who along with others was seen damaging the vehicles in the area. Some of the people including the accused herein resisted. In the scuffle that followed the accused assaulted the deceased.

4. So far as the present applicant is concerned, the assault is alleged to be by a wooden log. The cause of death is head injury. The injury is attributed to the accused Subhash Shinde. The incident appears to have happened on the spur of moment and there is every possibility of provocation from the side of the deceased. These are cross FIRs.

5. The applicant is a woman. The applicant was arrested on 5/9/2023. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. In the facts and circumstances of

the case, the applicant can be enlarged on bail by imposing conditions. Hence, the following order :-

ORDER

- a) The application is allowed.
- b) The applicant- Jyoti Bhikaji Shinde in connection with C.R. No.418/2023 with Chinchwad Police Station, Pimpri-Chinchwad, shall be released on bail on her furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.
- c) The applicant is permitted to furnish cash bail surety in the sum of Rs.15,000/- for a period of 6 weeks in lieu of surety.
- d) The applicant shall attend the Investigating Officer of Chinchwad police station, once in three months on first Saturday of the concerned month between 11:00 a.m. to 01:00, commencing from January 2024, till further orders of the trial Court.
- e) 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.

f) 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.

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

h) The applicant shall surrender her passport, if any, to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)