



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

996 BAIL APPLICATION NO. 182 OF 2024

Kishkinda W/o Vyankat Patil
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. P. P. More
APP for Respondents: Mr. Mukesh K. Goyanka

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 27th FEBRUARY, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Cr.P.C. in connection with crime No. 182 of 2023 registered with AUSA police station, District Latur, for the offences punishable under Sections 302, 307, 323, 504 r.w. 34 of I.P.C. Her application below Exh.28 in Sessions Case No. 93 of 2023 came to be rejected by the learned Additional Sessions Judge, Latur vide order dated 10.01.2024.

2. It is averred in the report that the informant is the second wife of deceased Vyankat Patil and the applicant is the first wife. Some land was allotted to the informant. However, deceased Vyankat and applicant were not allowing her to cultivate the land and therefore, quarrels used to take place between them. On 26.4.2023, at about 4.00 p.m. the applicant alongwith her daughter Jayashree and husband of Jayashree Lahu Thorat went there. A quarrel took place

between them. The applicant assaulted Vyankat with a stone on his head. Jayashree, her daughter also assaulted on his back by a sickle. Jayashree also assaulted on the right thigh of the informant by stone. Vyankat became unconscious and he was taken to the Government Hospital at AUSA, district Latur. Thereafter, he was admitted in Sahyadri Hospital, Latur where he succumbed to the injuries on 27.4.2023 i.e. on the second day of the incident.

3. Learned advocate for the applicant submitted that the applicant is a lady. She is falsely implicated in the crime. She has roots in the society. She will not flee away from trial. The trial will take a long period. The other accused persons are released on bail. It is lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and pointed out the statements of the witnesses as well as the post mortem report. Considering the serious nature of the crime, learned A.P.P. prayed for rejection of application.

5. Perused the charge sheet particularly the report, the post mortem report and the statements of witnesses. The incident is occurred in the disputed agricultural land. All injuries sustained by deceased Vyankat Patil were by hard and blunt object and stone. It is also the prosecution story that the applicant assaulted her husband by stone. Considering the nature of the crime as well as the fact that

the applicant has no criminal antecedents, the trial will take a long period, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 182 of 2023 registered with AUSA police station, District Latur, for the offences punishable under Sections 302, 307, 323, 504 r.w. 34 of I.P.C. be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.

(SANJAY A. DESHMUKH, J.)

rlj/