



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

2 BAIL APPLICATION NO. 257 OF 2024

PRABHAVATI W/O SATISH JADHAV
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sandeep C. Swami.
APP for Respondent/State : Mr. Satish A. Gaikwad.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 26th February, 2024.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.2 of 2024, registered with AUSA Police Station, District Latur, for the offences punishable under Sections 302, 307, 324 and 504 read with 34 of the Indian Penal Code and under Section 4/25 of the Arms Act.

3 It is averred in the report that quarrel took place between two family members and they assaulted each other. In that assault, Madhav Yadav sustained serious injuries at the instance of Prakash Jadhav, who is brother-in-law of this applicant. He is absconding. It is alleged that this applicant and her husband assaulted Madhav and

others. Her husband Satish also sustained serious injuries and he was admitted in the hospital and after he was discharged from hospital, he also lodged the report.

4 The learned counsel for applicant submitted that this applicant is falsely implicated in the crime and the report shows that the applicant participated in the crime and used stick for assaulting the mother-in-law of the informant. The applicant has no criminal antecedents. Her husband is arrested. The applicant is a woman. Practical investigation is over. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and pointed out that the applicant is booked for serious crime of murder and the applicant has participated in the crime. He pointed out the report and the statement of witness, in which her role is specified. Considering the nature of crime, it is lastly prayed to reject the application.

6 Perused the report and also the cross-report filed against each other about one and the same incident that took place on 5th January, 2024. No doubt the name of this applicant is mentioned in the report and the statement of witness that she participated in the crime of assaulting the mother-in-law of the informant by stick. The

applicant's brother-in-law is absconding. However, considering that the applicant is a lady and her role in the crime, her application can be considered on these two aspects. The applicant has roots in the society and she has no criminal antecedents. Practical investigation is over. Her custody is not required for further investigation. Considering all these aspects, the application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.2 of 2024, registered with AUSA Police Station, District Latur, for the offences punishable under Sections 302, 307, 324 and 504 read with 34 of the Indian Penal Code and under Section 4/25 of the Arms Act, be released on bail on furnishing personal bond of Rs.25,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicant shall not tamper with the prosecution evidence, in any manner.

[SANJAY A. DESHMUKH, J.]