



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 ANTICIPATORY BAIL APPLICATION NO. 930 OF 2024

Girja W/o Manoj Jadhav

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Aakash V. Bagal

APP for Respondents: Mrs. M.L. Sangit

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CORAM : SHIVKUMAR DIGE, J.
DATED : 19th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.163 of 2024 registered with Khultabad Police Station, district Aurangabad, for the offences punishable under Sections 307, 324, 323, 504, 506 r.w. 34 of the Indian Penal Code.

2. It is the prosecution's case that on 6.5.2024, around 11.00 a.m. the informant's sister told him that co-accused Deepak, Manoj and Raju were abusing sister of the informant and her husband and they were threatening them. Thereafter, the informant alongwith his friend went to his sister's house. When he was present there, co-accused Manoj and Deepak came there and they beaten the sister of the informant with fist and kick blows and abused them and they were stating that the land of dunghill belongs to them. It is alleged that

when the informant's elder brother, brother-in-law and his wife tried to resolve the dispute, at that time, the applicant and other co-accused came there. It is alleged that co-accused Manoj took out a knife and gave blows of it on the nose and forehead of the informant. It is alleged that Manoj also gave blow of knife on the neck and other parts of body of sister of the informant. It is alleged that the applicant threw chilli powder at that time.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. Accused No.1 is behind bar whereas accused Nos. 2 and 3 have been released on bail by the learned Sessions Court. The allegations against the applicant are that she threw chilli powder. Except these allegations, there are no allegations against the applicant. The applicant is a lady. Moreover the investigation is completed and the charge sheet has been filed against the applicant. Considering the allegations against the applicant, her custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant was part of the group which assaulted the informant, informant's sister, brother-in-law and elder brother with knife with intention to kill them. The injuries sustained by the informant and his sister were grievous

in nature. Considering the allegations against the applicant, her custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that she threw chilli powder at the time of incident. In the F.I.R. it is not mentioned that due to throwing of said chilli powder the informant or any other injured witnesses caused hardship to defend them from the attack of the accused persons. Considering the allegations against the applicant, her custodial interrogation is not required and I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) The interim anticipatory bail granted to the applicant vide order dated 12.06.2024 stands confirmed on the same terms and conditions.

(SHIVKUMAR DIGE, J.)

rlj/