

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1453 OF 2024

Taihrabi Bandenavaj Mujawar	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. P. G. Chavan i/b. Mr. Sachin Padaye, Advocates, for the Applicant.
 Mr. S. S. Chaudhari, APP, for the Respondent-State.
 Mr. P. D. Salunkhe, Police Head-Constable, Mangalwedha Police Station, Solapur (Rural), present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 17th APRIL 2024

P. C.:

1. Heard Mr. Chavan, learned Counsel for the Applicant and Mr. Chaudhari, learned APP for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	99 of 2024
2.	Date of registration of F.I.R.	09/02/2024
3.	Name of Police Station	Mangalweda, District-Solapur (Rural)

4.	Section/s invoked	143, 147, 148, 149, 353, 332, 333, 323, 324 and 504 of the Indian Penal Code, 1860; 135 of the Bombay Police Act, 1951.
5.	Date of incident	09/02/2024
6.	Date of arrest	09/02/2024

3. At the outset, Mr. Chaudhari, learned APP for the Respondent-State states that Charge-sheet was filed after filing of this Criminal Bail Application and therefore, the Bail Application be not entertained. He submits that the Applicant be directed to file a fresh Application before the learned Trial Court.

4. Mr. Chavan, learned Counsel for the Applicant submitted that the Applicant is a woman aged 57 years. He submitted that the investigation is complete and now the Charge-sheet is filed. He submitted that there are in all 8 Accused persons, out of which, 7 Accused persons are members of one family and all the adult members of the family were arrested on 9th February 2024. He submitted that except one Accused who is also a woman, all other family members are presently in custody. He relied on the order dated 4th April 2024 passed by this Court in Criminal Bail

Application No.1228 of 2023. He submitted that the only role attributed to the present Applicant is that she assaulted the Informant on the right hand, causing grievous injury. He submitted that as per the Charge-sheet, the same is described as a simple injury.

5. On the other hand, Mr. Chaudhari, learned APP for the Respondent-State strongly opposed the Bail Application. He submitted that in the incident in question, on duty police officials were assaulted. He submitted that although the Applicant is a woman, the Applicant actively participated in the alleged incident in question and that she had assaulted on the right hand of the Informant causing grievous injury.

6. Although there is substance in the contention raised by Mr. Chaudhari, learned APP that the Applicant had actively participated in the incident in question, however, it is to be noted that Charge-sheet is filed and investigation is complete. All adult members of the family of the Applicant are incarcerated except one Accused-Nagina Samir Mujawar who has been released on bail by

order dated 4th April 2024 passed by this Court in Criminal Bail Application No.1228 of 2024.

7. The Applicant is a woman aged 57 years.
8. The Applicant does not have any criminal antecedents.
9. The Applicant does not appear to be at risk of flight.
10. Accordingly, the Applicant can be enlarged on bail by imposing conditions.
11. In view thereof, the following order:-

ORDER

- (a) The Applicant - Taihrabi Bandenavaj Mujawar be released on bail in connection with C.R. No.99 of 2024 registered with the Mangalwedha Police Station, District – Solapur (Rural) on her furnishing P. R. Bond of Rs.10,000/- with one or two local sureties in the like amount.

- (b) On being released on bail, the Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (c) The Applicant shall report to the Mangalwedha Police Station, District – Solapur (Rural) as and when called by the Investigating Officer.
- (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 such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and

shall not seek unnecessary adjournments thereat.

(g) The Applicant shall surrender her passport, if any, to the Investigating Officer.

12. The Bail Application is disposed of accordingly.

13. It is clarified that observations made herein are *prima facie*, and the Trial Court shall decide the case on its merits, uninfluenced by the observations made in this order.

[MADHAV J. JAMDAR, J.]