

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

**BAIL APPLICATION NO. 846 OF 2024**

Anita Devi Raju Mahto

.Applicant

*Versus*

The State of Maharashtra

.Respondent

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Mr. Tapan Thatte a/w. Mr. Vivek Arote & Ms. Namrata Awari, Advocates for the Applicant.

Ms. S. S. Kaushik, APP, for the Respondent – State.

Mr. M. A. Mozar, Police Constable B. No. 822, Shirwal Police Station, Satara present

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**CORAM:MADHAV J. JAMDAR, J.**

**DATE :01.03.2024**

**P. C.**

1. Heard Mr. Thatte, learned Counsel appearing for the Applicant and Ms. Kaushik, learned APP appearing 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.                      | 379 of 2023              |
| 2. | Date of registration of F.I.R. | 26.12.2023               |
| 3. | Name of Police Station         | Shirwal Police Station   |
| 4. | Sections invoked               | 302, 201, 109 of the IPC |
| 5. | Date of incident               | 21.11.2023               |
| 6. | Date of arrest                 | 01.01.2024               |

3. The Applicant is Accused No.2. She is the sister of Accused No.1 – Mr. Shankar Jimdar Mahto. The deceased is sister of both the

accused. As per the prosecution case, deceased namely Ms. Manishakumari Jimdar Mahto, sister of the accused was in a relationship with one Mr. Rahul Kumar. The family of the Applicant was against the said relationship. As per the prosecution case, the deceased has been killed by the Accused No.1. The only role of the Applicant is that she had shown a video on her smartphone to the Accused No.1 in which the deceased and Mr. Rohit Kumar were seen together.

4. *Prima facie*, there is no direct role appears to be attributed to the present Applicant in the actual crime. The Applicant is a woman.
5. The trial is likely to take a considerably long time.
6. The Applicant does not have any criminal antecedents.
7. The Applicant does not appear to be at risk of flight.
8. Accordingly, the Applicant can be enlarged on bail by imposing conditions. In view thereof, the following order:-

### **ORDER**

- (a) The Applicant – Ms. Anita Devi Raju Mahto be released on bail in connection with C. R. No.379 of 2023 registered with the Shirwal Police Station, District – Satara on her furnishing P. R. Bond of Rs.25,000/- with one or two local solvent 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 Shirwal Police Station, District – Satara on the first Sunday of every week between 11.00 a.m. and 1.00 p.m. till filing of the Charge-sheet.

(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.

9. The Bail Application is disposed of accordingly.

10. It is clarified that the 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.]**