

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

BAIL APPLICATION NO.1125 OF 2024

Anusha Avinash Jadhav

.Applicant

Versus

The State of Maharashtra

.Respondent

Mr. Amit Icham, Advocate, for the Applicant.

Mr. P. P. Deokar, APP, for the Respondent – State.

CORAM: MADHAV J. JAMDAR, J.

DATE: 18.03.2024

P. C.

1. Heard Mr. Icham, learned Counsel for the Applicant and Mr. Deokar, 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.	392 of 2023
2.	Date of registration of F.I.R.	14.06.2023
3.	Name of Police Station	Chikhali, District - Pune
4.	Section/s invoked	302 of the I.P.C., 1860
5.	Date of incident	13.06.2023
6.	Date of arrest	21.06.2023

3. As per the prosecution case, the Applicant killed her eight months old child in a fit of rage and thereafter she attempted suicide.

4. Mr. Icham, learned Counsel for the Applicant submitted that the incident in question occurred in a fit of rage and the Applicant also tried to die by suicide. The Applicant is incarcerated since

21.06.2023. Charge-sheet was filed on 10.09.2023 and till date, there is no progress in the trial. He submitted that the Applicant has no antecedents.

5. On the other hand, Mr. Deokar, learned APP appearing for the Respondent – State vehemently opposed the Bail Application. He submitted that though the case is of circumstantial evidence, there are strong circumstances. He submitted that in the incident in question, the Applicant has killed her eight months old child.

6. *Prima facie*, there is substance in the contention raised by learned Counsel for the Applicant that the incident in question has occurred on the spur of the moment. In fact, the Applicant has also attempted suicide. The Applicant is a young woman aged 32 years. There are no antecedents.

7. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

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 - Anusha Avinash Jadhav be released on bail in connection with C.R. No.392 of 2023 registered with the Chikhali Police Station, District-Pune on her

furnishing P.R. Bond of Rs.10,000/- with one or two sureties in the like amount.

(b) The Applicant is permitted to give cash surety in lieu of surety for a period of two months.

(c) 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.

(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 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.]