

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

CRIMINAL BAIL APPLICATION NO.2416 OF 2024

Bhamabai Pundlik Narote Applicant

versus

The State of Maharashtra Respondent

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- Mr. Pratik Kalantri a/w Piyush Toshniwal, Advocate for Applicant.
- Mr. Shrikant H. Yadav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 03rd JULY, 2024

P.C. :

1. The Applicant is seeking her release on bail in connection with C.R.No.92/2024, dated 20/03/2024, registered with Chandwad Police Station, Nashik Rural, under sections 143, 147, 148 149, 323, 326, 324, 504, 506 of the Indian Penal Code.
2. Initially section 302 of the Indian Penal Code was not applied. However, subsequent to the death of the injured Ashok Narote on 21/04/2024, section 302 was added on 22/04/2024.

3. Heard Mr. Pratik Kalantri, learned counsel for the Applicant and Mr. Shrikant H. Yadav, learned APP for the State.
4. The FIR is lodged by one Bhagwan Narote. He has stated that the incident occurred on 18/03/2024 at about 05.00 p.m. His entire family consisting of his parents, brother, sister-in-law cousins and others were working in the agricultural field at Gat No.375(A)(1). At that time, the Applicant's family and other group members, who were 7 in number, came there carrying iron rods, sticks etc. The Applicant's group mounted an assault on the informant's group. The informant has described the specific assault. According to him, the accused Darshan gave a blow with iron rod on the informant's father Ashok's head. The others were also ascribed different roles. As far as the Applicant is concerned, the allegations are that she assaulted one Meerabai. After that, the injured persons were taken to the hospital for medical treatment and the FIR was lodged.
5. Learned counsel for the Applicant submitted that the Applicant herself had suffered fracture of her forearm in that

incident. The description in the FIR is not correct. The Applicant's group had lodged their FIR at the same Chandwad police station, vide C.R.No.88/2024 on 19/03/2024 u/s 326 and other sections of the Indian Penal Code. Learned counsel for the Applicant invited my attention to the order dated 18/04/2024 in Anticipatory Bail Application No.1056 of 2024. The five co-accused of the Applicant were granted anticipatory bail. They relied on the observations made in that order.

6. Learned APP admitted that the Applicant had suffered fracture of the forearm in the same incident. He also accepted that the allegations against the Applicant of assaulting Meerabai has resulted in simple injuries to Meerabai.

7. I have considered the submissions. The role ascribed to the Applicant is lesser. She herself had suffered fracture of her forearm. It is a grievous injury. The Applicant has not caused any injury to the deceased Ashok. She is in custody since 01/05/2024. Her further custody will not serve any purpose. She is a woman. She herself had suffered grievous injury. On these grounds, the Applicant deserves to be released on bail.

8. Hence, the following order :

ORDER

- (i) In connection with C.R.No.92/2024, dated 20/03/2024, registered with Chandwad Police Station, Nashik Rural, the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)