

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

CRIMINAL BAIL APPLICATION NO. 2928 OF 2024

Anjudevi @ Rani Saroj Chauhan ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Manish Dubey with Mr. Satish Dubey, Advocate for Applicant.

Mrs. S. M. Yadav, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 2nd SEPTEMBER, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 12 of 2024 registered with Vadkhal Police Station, Raigad, for an offence punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860.

3) Having gone through the charge-sheet and the relevant material available on record, it is evident that there is no recovery from the applicant or even clothes having blood stains, or any other material. The only evidence is that allegedly on a faithful day, at the relevant time, the applicant was with the deceased.

4) However, there is sufficient material to show that there was a motive for the co-accused to eliminate the deceased. Whereas, such motive is not against the applicant. It has come on record that the co-accused were together and they went to Savali Lodge where the said incident took place. However, there is no evidence to show that the applicant was with the co-accused. The applicant is a lady and there are no antecedents against the applicant.

5) In the circumstances, as there is no recovery against the applicant or even motive was not there, or there as far as the applicant is concerned, to eliminate the deceased, considering the fact that the charge-sheet has been filed, I am of the opinion that the applicant is entitled for grant of bail. Hence, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No. 12 of 2024 registered with Vadkhal Police Station, Raigad, for an offence punishable under Section 302 read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall attend the said Police Station on 1st and 16th day of every month between 10.00 am and 11.00 am till the conclusion of the trial except on the date of trial;

- iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]