

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

ANTICIPATORY BAIL APPLICATION NO. 3223 OF 2024

Ranjana Sunil Mutyal	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Ganesh Jadhav for the Applicant.
Mr. Prasanna P. Malshe, APP for Respondent-State.
Mr. Dipak D. Karande, PSI, Shirur Police Station, Pune.

**CORAM: MANISH PITALE, J.
DATE : 3rd DECEMBER 2024**

P.C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No. 0811 of 2024 dated 3rd October 2024 registered at Shirur Police Station, Dist. Pune, for offences under Sections 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), Sections 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3. The informant approached the Police after he was assaulted by two co-accused persons by means of *koyta*. It is alleged that the two co-accused persons, who were assailants, had assaulted the informant at the behest of the applicant and her son, who is a

Police Constable.

4. The learned counsel for the applicant submits that the informant himself has criminal cases registered against him and he has number of enemies in the neighbourhood. It is further submitted that son of the applicant is also arraigned as an accused, who is a Police Constable and he knows the informant from his childhood. It is submitted that, other than a bare allegation that the assailants attacked the informant at the behest of the applicant, there is no material to link the applicant with the incident in question. It is submitted that the applicant is ready cooperate with the investigation.

5. The learned APP submits that the statement of the informant clearly makes specific allegations against the applicant also. It is at her behest that the assailants attacked the informant and therefore, her involvement is clearly made out.

6. This Court has perused the statement of the informant, leading to registration of the FIR and other investigation papers brought to the notice of this Court. The only allegation against the applicant appears to be that it was at her behest and also her son that the co-accused persons assaulted the informant. The applicant is a lady, aged about 50 years and even if it appears that there is some rivalry between her son and the victim, the material on record *prima facie* falls short of showing any overt act on the part of the applicant, resulting in registration of the offences. It is not

even alleged that the applicant was present at the time of the incident or that any recovery of weapons is to be made from her. The applicant is woman and she is ready to cooperate with the investigation. Hence, the application deserves to be allowed.

7. The application is allowed in the following terms :

(a) In the event the applicant is arrested in connection with FIR No. 0811 of 2024 dated 3rd October 2024 registered at Shirur Police Station, Dist. Pune, she shall be released on bail on furnishing PR Bond of Rs.25,000/- and one or two sureties in the like amount.

(b) The applicant shall cooperate with the investigation, including remaining present before the Investigation Officer, as and when called.

(c) The applicant shall not tamper with the evidence of the prosecution in any manner. She shall not influence the informant, witnesses or any other persons concerned with the case.

8. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application.

9. The application is disposed of.

MANISH PITALE, J.