



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.1099 OF 2024

(Mrs. Geeta w/o Rameshwar Wagh Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.M. Jaltare, Advocate for the applicant.
Mr. H.D. Dubey, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- DECEMBER 2, 2024.

By this application, the applicant is seeking bail as he came to be arrested on 14/10/2024 in connection with Crime No.352/2024 registered with Police Station Buldhana, District Buldhana for the offence punishable under Sections 109(1), 118(2), 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Meena Vinod Tekale on an allegation that there is a previous enmity between the two families. Prior to this incident, the present applicant has lodged the report against the brother-in-law of the informant alleging that he has outraged her modesty. On 13/10/2024 at about 3.00 PM when she had been at Buldhana and was proceeding towards her house at the relevant time, she received a phone call of her brother-in-law and disclosed that one Sopan Subhash Ekade is lying in an injured condition near the agricultural field. At the relevant time,

she rushed to the spot of incident and witnessed that her nephew Ajay Vinod Tekale and another nephew Vedant Siddheshwar Bahekar were also lying in an injured condition. On enquiring with them, they disclosed that they were assaulted by Soham Rameshwar Wagh, Rameshwar Tukaram Wagh and the present applicant. As far as present applicant is concerned it is alleged that she caught hold the injured and thereafter the other co-accused given a blow of knife on their person. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as the role of the present applicant is concerned which is only to the extent of holding the injured. As far as the role of giving blow by knife is attributed to the other co-accused. Now, injured are already discharged from the hospital and there is no apprehension of any complication regarding the said injuries. In view of that, the applicant be released on bail.

4. Learned APP for the State strongly opposed the application and submitted that in furtherance of common intention, two injured were assaulted by the present applicant and the other co-accused due to the previous enmity. In view of that, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties. Perused the investigation papers from which it reveals that only the role attributed to the present applicant is that she caught hold the injured and thereafter the other co-accused executed the act of giving blow by knife. The injury certificate which is placed on record shows that the injured has sustained the grievous injury i.e. incised wound on left side of flank with depth of 0.3 mm and another injured has also sustained the injury on a neck crossing midline. Both injuries admittedly grievous in nature but considering now the injured are discharged from the hospital and there is no likelihood of any complication about the said injuries, the applicant has made out a case for grant of bail. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Mrs. Geeta w/o Rameshwar Wagh in connection with Crime No.352/2024 registered with Police Station Buldhana, District Buldhana for the offence punishable under Sections 109(1), 118(2), 115(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on executing PR. bond in the sum of Rs.25,000/- with one surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses, including the injured, in any manner who are acquainted with the facts of the case either personally or by way of electronic media.

(iv) The applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and 1.00 PM, till filing of the charge-sheet and shall cooperate with the investigating agency.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*