



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2355 OF 2024
WITH
CRIMINAL APPLICATION NO. 80 OF 2025

Manisha S/o. Ashok Ajabe,
Age : 28 years, Occu. : Household,
R/o. Shiral, Tal. Ashti,
Dist. Beed.

... Applicant

Versus

1. The State of Maharashtra,
Through P.I.,
Mirajgaon Police Station,
Tal. Karjat, Dist. Ahmednagar.

2. The Superintendent of Police,
Ahmednagar, Dist. Ahmednagar.

... Respondents

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Mr. Yuvraj S. Choudhari, Advocate for Applicant

Mr. N. D. Batule, APP for Respondent - State

Mr. Z. H. Farooqui, Advocate for Applicant (Asst to APP) in
APPLN/80/2025

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 24 JANUARY, 2025

PRONOUNCED ON : 28 JANUARY, 2025

ORDER :

1. In this application, applicant seeking her release on regular bail on account of her arrest in Crime No. 231 of 2024 registered at Mirajgaon Police Station, Tq. Karjat, Ahmednagar for offence punishable under sections 103(1), 125(a) and 61(2) of Bharatiya Nyaya Sanhita, 2023.

2. Criminal Application No.80 of 2025 filed by informant for intervention seeking permission to assist the public prosecutor is allowed.

3. Learned counsel for applicant pointed out that, applicant is arrested in above crime on 21.08.2024 regarding FIR registered on 13.08.2024. It is pointed out that, FIR is at the instance of uncle of deceased Ashok and there are allegations that, present applicant had love relations with accused and in such backdrop Ashok was said to be done to death by assaulting with wooden stick. However, information is passed that said assailant had covered his face. Learned counsel pointed out that, in the FIR itself mere suspicion has been expressed. He further pointed out that, applicant was in the company of deceased husband when the incident took place. That, applicant has children. Now, investigation is over and charge sheet is also filed and hence, relief of regular bail is urged for.

4. Learned APP opposed that investigation revealed that present applicant had love relations with accused. That, he was becoming obstacle and was thus planned to be eliminated. That, applicant's husband has been assaulted by main accused Yogesh. That, there is CDR suggesting continuous conversation. That,

statement of son of applicant and deceased is already recorded. He has identified accused and relations between him and applicant has come to light. Therefore, for above reasons, learned APP opposes.

5. Heard. Perused the FIR at the instance of Ramchandra Khute. Apparently, FIR is lodged on 13.08.2024 regarding occurrence dated 12.08.2024. Substance of the FIR is that, some religious function was organized at Ratanjangaon on 12.08.2024 and to attend the same deceased had come to informant's place on 11.08.2024 for stay. After the religious function was over, he allegedly left with his wife (present applicant) and son on Aactiva to go to Shiral. Informant claims that at around 9:00 p.m., telephonic message was received that deceased is lying injured on the road on account of assault on head by someone and a lady and two children are there. Informant went there and deceased was taken to hospital, but he was examined and declared dead. Therefore, above report is lodged on 13.08.2024. Apparently, as pointed informant has reported that Yogesh Vijay Ajabe and present applicant had love relations and he suspects that in the said backdrop, Yogesh had assaulted deceased on the head and is thereby responsible for murder of Ashok.

6. Statement of minor son, namely Aryan, is also recorded. He has also narrated that while they were proceeding,

one person, who came on motorcycle, hit his father while they were all proceeding on a Aactiva two wheeler, i.e. twice and thrice, as a result of which they all fell. Child has also stated that, the person had covered his face with handkerchief. Now, charge-sheet is said to be filed. Applicant a lady is behind bars since 21.08.2024. Above FIR is apparently on suspicion. Nothing is shown to be recovered or discovered at applicant's instance.

7. Taking above material into consideration, relief as prayed deserves to be granted. Hence, the following order is passed:-

ORDER

- (i) Application is allowed.
- (ii) Applicant Manisha S/o. Ashok Ajabe be released on bail in connection with Crime No. 231 of 2024 registered at Mirajgaon Police Station, Tq. Karjat, Ahmednagar on executing P.B. of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Criminal Application No.80 of 2025 is disposed off.

(ABHAY S. WAGHWASE, J.)