



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

924 ANTICIPATORY BAIL APPLICATION NO. 62 OF 2025

Sushila Ramkisan Khatik (in FIR Sushala Ramkisan Khatik)

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Tushar Shinde h/f Mr. Shinde Chandrakant K.

APP for Respondents-State: Mr. A. A. A. Khan

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**WITH
CRIMINAL APPLICATION NO. 289 OF 2025
IN ABA/62/2025**

Rajendra @ Raju Dnyandev Khatik

VERSUS

Sushila Ramkisan Khatik (in FIR Sushala Ramkisan Khatik) And Another

...

Advocate for Applicant : Mr. Wakale Vijay Shivaji

APP for Respondents-State: Mr. A. A. A. Khan

Advocate for Respondent No.1 : Mr. Tushar Shinde h/f Mr. C. K. Shinde

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 23, 2025.

PER COURT :-

1. Criminal Application No.289 of 2025 is filed for Assist to learned APP. Said application is allowed and disposed of.
2. Heard learned counsel for the applicant, the learned APP for the respondent-State, and the learned Counsel for Assist to APP.
3. The applicant is apprehending arrest in connection with FIR No.1127/2024, dated 23/12/2024, registered at Newasa Police Station, District Ahmednagar, for the offences punishable under sections 118 (1), 118 (2), 189 (2), 190, 191 (2), 191(3), 351(2), 352 of the Bharatiya Nyaya

Sanhita, 2023.

4. The case against the applicant is that she, along with other accused, assaulted the informant, Rajendra, and others. The specific allegation against the present applicant is that she assaulted Rahul with an iron rod.

5. The learned APP has produced the injury certificate of Rahul. The injury certificate shows that the injuries are simple in nature. The learned APP and the learned Counsel assisting the APP submit that the role of the applicant cannot be compared with that of the other accused.

6. The learned Counsel assisting the APP relied upon the judgment of the Hon'ble Supreme Court in the case of *Kumer Singh vs. State of Rajasthan and Another*, (Criminal Appeal No. 571/2021, dated 20/07/2021), and in the case of *Manoj Lal Jaiswal vs. The State of Uttar Pradesh and Another*, reported in 2022 LiveLaw (SC) 88, to contend that all the accused are responsible for the offences alleged and individual roles cannot be separated.

7. In the instant case, *prima facie*, there appears to be a fight between two groups, and cross FIRs have been filed. Earlier FIR in the matter was registered by the applicant on 14/12/2024, and thereafter, the cross FIR was registered by the complainant on 23/12/2024.

8. Considering that the injuries are simple in nature as per the injury certificate, the applicant being a lady, and the existence of a previous dispute between the two groups, the possibility of over-implication of the applicant in the crime cannot be ruled out. Therefore, it is a fit case to grant anticipatory bail to the applicant.

9. In view of the above, the application is allowed in the following terms : -

i] In the event the applicant is arrested in connection with FIR No.1127/2024, dated 23/12/2024, registered at Newasa Police Station, District Ahmednagar, for the offences punishable under sections 118 (1), 118 (2), 189 (2), 190, 191 (2), 191(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, she shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station as and when called by the police.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. She shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

10. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

11. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

12 The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.