



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 ANTICIPATORY BAIL APPLICATION NO. 83 OF 2025

NAJIYA W/O NAZIR SHAIKH

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Birajdar Yogesh G.

APP for Respondent/State: Mr. R. S. Wani

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CORAM : ARUN R. PEDNEKER, J.

DATE : 10.02.2025

P.C. :

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

2] The applicant is apprehending arrest in connection with Crime No.1139/2024, registered at MIDC Waluj Police Station, District Aurangabad, for the offences punishable under Sections 80, 85 r/w 3(5) of the B.N.S.

3] This court by order dated 03.02.2025 granted interim protection to the applicant considering the submissions and reasons at paras 3, 4 and 5, as under:

“3] Applicant’s daughter-in-law died within six months of her marriage. The death is unnatural. It is the case against the applicant and her accused son that they were illtreating the deceased for fulfilment of monetary demands.

4] However, prima-facie from perusal of material produced on record it appears that in earlier two communications from the deceased to her brother and her maternal uncle, it appears that she has not stated anything about ill-treatment at the hands of the applicant (mother-in-law). However, the allegation of ill-treatment are against the husband of the deceased that the husband has been demanding money to her. Allegation against the husband of the deceased is that while the deceased was pregnant her husband was beating her and this is seen by the informant during the video call. It is also stated that the applicant is seen holding the deceased at the time of assault.

5] Prima facie, the main allegations are against the husband of the deceased and it is difficult to believe at this stage that when video call is going on while the deceased was beaten by her husband, the mother-in-law was holding her and the same was visible to the informant. The allegation may be exaggerated.”

4] The learned counsel for the applicant submit that the applicant has attended the concerned police station and co-operated with the investigation. No grievance is raised by the learned APP as regards cooperation of the applicant is concerned.

5] In view of the above, the interim protection granted by order dated 03.02.2025 stands confirmed, on the following terms:

- i] The applicant shall attend the police station as and when required by the Investigating Officer.
- ii] 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.

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

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

7] 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.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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