



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 260 OF 2025

Nisha w/o Suresh Kamble,
Age : 38 Years, Occupation : Household,
R/o : Behind Matoshri Vrudha Ashram,
Arvi Gai Ran, District Latur.

... Applicant
[Orig. Accused No.2]

Versus

1. The State of Maharashtra
Superintendent of Police,
Latur, District Latur.
Through M.I.D.C. Police Station,
Latur.
2. Asha Sugriv Kamble,
Age : 39 years, Occupation : Housewife,
R/o : Arvi Gai Ran, Latur,
District Latur.

... Respondents

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Mr. Chetan B. Chaudhari, Advocate for the Applicant.
Mr. C. V. Bhadane, APP for Respondent No.1-State.
Mr. S. A. Patil h/f Mr. Sushant B. Choudhari, Advocate for
Respondent No.2.

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 17.03.2025

ORDER :

1. Present application is for grant of regular bail on account of arrest of applicant in crime no. 0635 of 2024 registered at MIDC Latur Police Station, District Latur for offence punishable under Sections 103(1), 238, 352, 3(5) of BNS.

2. Pointing to the date of arrest of applicant as 26.09.2024, it is submitted that only allegation against present applicant, who is lady, is that she indulged in quarrel. The allegations of assault are attributed to other accused, who is a minor. That, injured suffered single injury. That, occurrence was on minor quarrel in the backdrop of requirement of documents. Now, investigation is over and charge sheet is already filed on 20.12.2024 itself. That, in view of nature of allegations, it is apparent that there is no recovery or discovery to be made. As there are no immediate chances of matter going for trial and applicant being lady, and further, as she is ready to abide all and any conditions imposed by this Court, relief of regular bail is urged for.

3. Learned APP pointed out that serious offence is committed. That, applicant was also present at the time of incident. That, cause of death is stabbing.

4. Learned counsel for respondent no.2 informant also opposed on the ground that there is every possibility of tampering the evidence or misuse of liberty.

5. Heard each side. Perused the FIR dated 25.09.2024 at the instance of one Aasha Kamble. She has reported to police that on 25.09.2024 around 8.00 a.m., when she, her husband and daughter Swapnali had been to procure the documents from their relative Suresh Kamble who resides in front of their house, at that time, Nisha Suresh Kamble picked up quarrel and while informant and her husband were interacting with Nisha, it is alleged that, son of Nisha, namely Om, came from back and stabbed her husband and caused him grievous injury, as a result of which he died. On above report, crime has been registered.

6. Therefore, as submitted, apparently allegations against present applicant are only of quarreling and abusing. The allegation of stabbing is attributed to non-applicant Om, who is reported to be a juvenile. Now investigation is over and there is no dispute that charge sheet is already filed. Therefore, again as submitted, only allegation against present applicant was indulging in quarrel. Charge sheet having been filed recently, there do not seem to be immediate prospects of matter going for trial. Moreover, applicant is a lady. Taking above material into consideration, relief as prayed deserves to be granted. Hence, I proceed to pass the following order:

ORDER

I. The application is allowed.

II. Applicant Nisha w/o Suresh Kamble be released on bail in connection with Crime No. 0635 of 2024 registered at MIDC Latur Police Station, District Latur, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not enter the vicinity where informant and her near and dear ones reside, till conclusion of trial.

[c] The applicant shall regularly attend each and every effective date before the trial court.

[ABHAY S. WAGHWASE, J.]

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