



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

19 CRIMINAL APPEAL NO. 252 OF 2025

1. Banubi Chand Pasha Shaikh,
Age; Major, Occ; Household,
R/o; Shirur/Tajband, Tq. Ahmedpur,
District Latur.

...APPELLANT
(Orig. Accused No. 1.)

VERSUS

1. The State of Maharashtra,
Through P.I. Police Station Ahmedpur,
Tq. Ahmedpur, Dist. Latur.
2. The Superintendent of Police,
Latur, Tq. & Dist. Latur.
3. Sangita Kashinath Bhalerao,
Age; 37 years, Occ; Labour,
R/o; Patil Galli, Shirur Tajband,
Tq. Ahmedpur, Dist. Latur.

...RESPONDENTS
(R. No. 3 Orig. Complainant)

...
Advocate for Appellant : Ms. Anjali Dube
APP for Respondents/State : Mr. C.V.Bhadane
...

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 17.11.2025

PER COURT :

1. Heard Ms. Anjali Dube, learned Advocate for the appellant
and Mr. Bhadane, learned APP for the Respondents-State.
2. Appellant is praying for quashing of the impugned order

dated 12.03.2025, wherein, the anticipatory bail order passed by the learned Additional Sessions Judge, Ahmedpur, District Latur in Criminal Misc. Application (Bail) No. 09 of 2025, rejecting her anticipatory bail application. The appellant has further prayed for grant of anticipatory bail by confirming her ad-interim order.

3. The appellant has already been granted ad-interim protection vide order dated 22nd April, 2025 by this Court.

4. The statement of the victim-Prosecutrix came to be recorded on 2.2.2025. The victim has stated in her report that she is a Health Worker in Kingaonkar Hospital. While going to her newly constructed house, she encountered a quarrel with certain accused persons. According to her, accused persons namely Bano Babasab Mangrule, and her children namely Mahek and Mainuddin alleged to have abused to her referring to her caste and alleged to have assaulted her. On the basis of said report Crime No. 64 of 2025, registered at Ahmedpur Police Station, for the offence punishable under Sections 118(1), 119(1), 352, 351(2), 351(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and under Section 3 (1) (w)(i), 3 (1) (w)(ii) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, came to be registered against the accused persons. The victim in the same statement has also alleged that the accused persons have assaulted her by using the blade.

5. After registration of the crime, the investigation came to be initiated. The Investigating Officer after completion of the investigation filed the charge-sheet in this matter.

6. Ms. Anjali Dube, learned Advocate for the appellant submits that since the investigation is over, there is no point in keeping the appellant behind the bars as there is no requirement of her custody and therefore, she prays for confirming the ad-interim protection order.

7. Per-Contra, Mr. Bhadane, learned APP for Respondent-State, has submitted that the appellant as well as other accused persons assaulted the victim and there are four simple injuries on the person of the victim. He further submits that the appellant, if granted protection, she will tamper the prosecution witnesses and therefore, prays for rejection of the appeal.

8. The investigation in this crime is over and the charge-sheet is also filed. Therefore, custody of the appellant is not required at this stage. The appellant has been granted interim protection since 22nd April, 2025 and there is no misuse of the said liberty granted by this Court to the appellant since then.

9. Since the investigation is already over, therefore, I am inclined to confirm the protection granted to the appellant by this Court

on the same conditions. Hence I pass following order :

ORDER

(1) In the event of arrest of Banubi Chand Pasha Shaikh, in furtherance of offence bearing Crime No. 64 of 2025, registered with Ahmedpur Police Station, Tq. Ahmedpur, District Latur, for the offence punishable under Section 118(1), 119(1), 352, 351(2) 351(3), 3 (5) of the Bhartiya Nyaya Sanhita, 2023 and under Section 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, she shall be released on bail on furnishing her personal bond of Rs. 15,000/- (Rs. Fifteen Thousand Only) and one solvent surety in the like amount on following conditions :

- (i) Appellant shall co-operate the Investigating Officer and shall make herself available as and when called by the Investigating Officer.
- (ii) Appellant shall not tamper or contact the prosecution witnesses.

(SUSHIL M. GHODESWAR, J.)

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