



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

911 CRIMINAL APPEAL NO. 373 OF 2025

MAYA ALIAS POOJA GOROBA DODTOLE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.Kedar A. Pathade h/f. Mr. P.P. More, Advocate for the appellant.
Ms.M.N. Ghanekar, APP for the respondent-State.
Mr.D.R. Jamdhade h/f. Mr.P.A. Salve, Advocate for R-2.

CORAM : KISHORE C. SANT, J.
DATE : 24.07.2025

PC :-

01. Heard learned Advocate for the appellant, learned APP for the respondent-State and learned Advocate Mr.D.R. Jamdhade h/f. Mr.P.A. Salve for R-2.

02. The appellant has approached this Court seeking her release on bail in connection with Crime No. 163 of 2025 registered with AUSA Police Station, Dist. Latur for the offences punishable under sections 108, 3(5) of the Bhartiya Nyay Sanhita, 2023 and u/s 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The FIR is lodged by one Sachin Alte brother of deceased Vijay Alte . He informed that his brother Vijay though was married, was staying with the present appellant as his second wife. There were some disputes between

them. Due to the dispute Vijay had come to stay with his family members. However, again the appellant took him to Jamalpur with her. It is further alleged that the appellant used to harass the deceased. The deceased was also suspicious about relations of the appellant with one Raju Ircal and it is because of that there was harassment. On 24.04.2025 the deceased committed suicide by hanging. Thus, the offence came to be registered.

03. The appellant came to be arrested on 27.04.2025. Now a charge-sheet is also filed on 25.06.2025. Learned Advocate for the appellant submits that the Trial Court has wrongly refused bail application by order dated 15.05.2025. He failed to appreciate that no ingredients of abetment are made out. He thus submits that no ingredients even of Atrocities Act are attracted. The relationship clearly shows that it was consensual relationship. He thus prays for release of the accused on bail.

04. Learned APP vehemently opposes the appeal. She submits that the Sessions Court has rightly rejected the application. The offence is serious. Thus, she prays to dismiss the appeal.

05. Learned Advocate for respondent No.2 submits that from the FIR it is clearly seen that there was constant harassment at the hands of the appellant to the deceased. There are statements of witnesses recorded supporting the prosecution. He thus prays for rejection of the appeal.

06. This Court has heard the submissions and has gone through the FIR and the allegations. There is no dispute that the deceased died by committing suicide. However, there is nothing to show that the appellant has abetted said crime. Merely because of the dispute was there between the present appellant and the deceased cannot be said to be sufficient to make the deceased to commit suicide. There is nothing to show that his life became miserable because of harassment by the appellant. Prima facie, this Court finds that no ingredients of abetment are attracted. Merely because the deceased happens to be a person belonging to Scheduled Caste is also not sufficient to attract provisions of the Atrocities Act. The learned Sessions Judge has rejected the application stating that punishment is up to 10 years and offence is serious. The learned Sessions Judge, however, did not appreciate as to whether ingredients are attracted or not and has passed the order, which deserves to be quashed and set aside. The appeal deserves to be

allowed. Hence, following order :-

ORDER

- (i) The Criminal Appeal is allowed.
- (ii) Impugned order dated 15.05.2025 passed by learned Additional Sessions Judge, Latur, in Criminal Bail Application No. 297 of 2025 is quashed and set aside.
- (iii) The appellant shall be released on bail in connection with Crime No. 163 of 2025 registered with AUSA Police Station, Dist. Latur for the offences punishable under sections 108, 3(5) of the Bhartiya Nyay Sanhita, 2023 and u/s 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on furnishing PR bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount.
- (iv) The Appellant shall not contact any of the witnesses and the informant. He shall give his mobile number and other contact details to the police and shall cooperate in the Investigating Officer in the investigation.

[KISHORE C. SANT, J.]