



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.930 OF 2025

Pamabai W/o. Babu Rathod,  
Age : 62 years, Occu. : Household,  
R/o. Khadka, Tq. Sonpeth, Dist. Parbhani. ... Applicant.

Versus

1. The State of Maharashtra,  
Through Police Station Officer,  
Police Station Sonpeth,  
Tq. Sonpeth, Dist. Parbhani.
2. The Superintendent of Police,  
Parbhani, Dist. Parbhani. ... Respondents.

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Mr. M. P. Kale, Advocate for Applicant.  
Mr. M. K. Goyanka, APP for Respondents – State.  
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**CORAM : ABHAY S. WAGHWASE, J.**

**RESERVED ON : 18 AUGUST 2025**

**PRONOUNCED ON : 19 AUGUST 2025**

**ORDER :**

1. This is an application under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 preferred by the applicant for pre-arrest bail in connection with Crime No.111 of 2025 registered with Sonpeth Police Station, District Parbhani for the offences punishable under sections 123, 85, 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

2. Learned counsel for applicant submitted that present

applicant is 62 years of age. She is falsely implicated along with others. There are allegations that, she and other accused administered poison to complainant. Allegation against present applicant is that, she held legs of the complainant. Alleged occurrence is of 12.04.2025 and statement is given on 15.04.2025, whereas crime is registered on 17.04.2025. Thus, there is delayed FIR. Apparently, it is false implication. That she being of old age, she will not misuse the liberty and would rather cooperate with the investigation. Lastly, it is submitted that, considering the nature of allegations, custodial interrogation is not necessary and what was the recovery is already recovered. For all above reasons, relief of anticipatory bail is urged for.

3. Learned APP strongly opposed the above relief and pointed out that, applicant is specifically named in the FIR. That, specific role is attributed to her i.e. for catching hold of complainant's legs, thereby she along with the other accused, facilitated the complainant in administering poison. Learned APP submitted that, bottle of poison is also seized. It is the case of attempt to commit murder, and therefore, there being serious allegation, learned counsel urges for rejection of the application.

4. Heard. Perused the FIR. Informant Pooja has informed that, she was married to accused husband in 2019. She has alleged that, till

delivery of a girl, she was treated properly and thereafter she was subjected to physical and mental cruelty. She has stated that, on 12.04.2025, her husband, mother-in-law (present applicant) and sisters-in-law, Asha and Meera, all four of them said to her that, they do not like her and that they are going to perform second marriage of Digamber and thereafter it is alleged that she was given beating and two sisters-in-law caught hold of her hands, whereas present applicant allegedly held legs of informant. Her husband who allegedly sat on her chest, administered the poison to her, as a result of which she felt dizzy. She stated that, cousin mother-in-law Kamalbai and her husband shifted her to the hospital. Apparently, above statement of victim is recorded on 15.04.2025 and FIR shows that crime is registered on 17.04.2025.

5. On going through the police papers, this court has not come across any medical papers indicating where victim was admitted and treated. On the court query, as to whether stomach wash has been collected for analysis, learned APP answered in negative. Even police papers, which are on record do not contain any statement of doctor. Even hospital papers are also not part of the papers placed before this court.

Therefore, considering such state of affairs of the investigation in spite of crime being registered in April 2025, considering

the aspect that applicant is of 62 years of a lady and when no further recovery or discovery is shown to be made, relief as prayed deserves to be granted. Hence, I proceed to pass the following order :-

**ORDER**

- (i) In the event of arrest of the applicant Pamabai W/o. Babu Rathod, in connection with Crime No.111 of 2025 registered with Sonpeth Police Station, District Parbhani for the offences punishable under sections 123, 85, 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, he shall be released on bail on furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) with one solvent surety in the like amount.
- (ii) The applicant shall attend the concerned Police Station on every Monday at 11.30 a.m. till filing of charge sheet. He is further directed to cooperate the investigation.
- (iii) The applicant shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.
- (iv) He shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

5. The Application is allowed in the above terms.

**(ABHAY S. WAGHWASE, J.)**