



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

952 BAIL APPLICATION NO. 1301 OF 2025

LALITA DATTA RATHOD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Yuvraj S. Choudhari.
APP for Respondent / State : Mr. R. S. Wani.
...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 26th September, 2025.

P.C.:

1 Heard.

2 The bail application is filed for granting regular bail in connection with Crime No.0010 of 2025, registered with Mirajgaon Police Station, District Ahilyanagar, for the offences punishable under Sections 103(1), 238 and 241 read with 3(5) of the Bharatiya Nyaya Sanhita.

3 The learned counsel for the applicant submitted that during the investigation it was revealed that the applicant was having illicit relationship with co-accused Santosh, who is released on bail. On 9th January, 2025, in the morning, when other workers came to the hut of the applicant and questioned her about her husband, she said that her husband is suffering from illness and he will not come. After

some time, co-accused Santosh Kale came with car. The husband of the applicant, namely Datta covered with the blanket, was put into the car and taken for treatment. On the third day of the incident, the dead body of Datta was found partly buried. Examination was conducted. Thereafter, postmortem was conducted. As per the postmortem report, the cause of death is "Asphyxia due to ligature strangulation mostly homicidal". The applicant and co-accused booked for the offence punishable under Section 103(1) etc of the BNS.

4 The learned counsel for the applicant submitted the applicant is falsely implicated in the crime. She is a woman having one child of four years. The applicant has roots in the society and she will not flee away from the trial. The trial will take long period. Co-accused Santosh is released on bail. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is booked for serious crime of murder of her husband. He pointed out the postmortem report and the cause of death. He further pointed out the statements of witnesses, stating that there was love affair between the co-accused Santosh and the applicant and therefore, they committed murder of the husband of applicant. While the husband of the applicant was taken in

the car for treatment, the witnesses have seen the applicant and the co-accused. There is ample material against the applicant. It is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of the witnesses as well as the postmortem report. Co-accused Santosh is released on bail. The applicant is a woman. Investigation is completed and the charge-sheet has been filed and the custody of the applicant is not necessary. The applicant has roots in the society and she will not flee away from the trial. The trial will take long period. Considering all these aspects, the application deserves to be allowed on the principle that bail is rule and jail is exception, on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.0010 of 2025, registered with Mirajgaon Police Station, District Ahilyanagar, for the offences punishable under Sections 103(1), 238 and 241 read with 3(5) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.15,000/- with surety of the like amount on following conditions:-

- a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

[SANJAY A. DESHMUKH, J.]

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