



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

928 BAIL APPLICATION NO. 1209 OF 2025

RANJANA DHANESH MALI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Bharat Sahebrao Doifode.
APP for Respondent / State : Mr. S. B. Narwade.

...
AND

CRIMINAL APPLICATION NO. 3224 OF 2025
IN BA/1209/2025

RANJANA DHANESH MALI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Bharat Sahebrao Doifode.
APP for Respondent / State : Mr. S. B. Narwade.

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

DATE : 26th September, 2025.

P.C.:

1 Heard.

2 Criminal Application No.3224 of 2025 is filed seeking permission to place on record the medical papers of the treatment of cancer of ovary regarding the applicant. For the reasons stated in the application, Criminal Application No.3224 of 2025 is allowed.

3 The bail application is filed for granting regular bail in connection with Crime No.195 of 2025, registered with Devpur West Police Station, District Dhule, for the offences punishable under Sections 103(1), 85, 115(2), 351(2), 351(3), 352 and 49 read with 3(5) of the Bharatiya Nyaya Sanhita.

4 The learned counsel for the applicant pointed out the report in which the informant averred that his sister married with the brother of applicant on 8th June, 2010. She begotten two children. She was cohabiting with her husband at Devpur, Dhule. Her husband was having illicit relationship with one woman. Her husband was convinced by the parents of the informant. His sister Sharda was also opposing for that illicit relationship. That woman was instigating to the husband of Sharda to eliminate Sharda. Once they tried to hang Sharda. On 29th May, 2025, the informant got information that his sister Sharda is admitted in Shri Ganesha Hospital. The informant went there. But Sharda died. The preparation for her last rituals were going on. However, the informant noticed some doubtful position of face of Sharda having blackish-blue colour. Her left hand was having swelling and there were injury marks of beating. Therefore, he went to the police station. Accordingly, the police came there and the postmortem was conducted.

5 The learned counsel for the applicant submitted that the applicant is falsely implicated in the crime. The applicant is the sister-in-law of Sharda. The applicant is residing at Aurangabad. Her role is not specified in the report or in the statements of witnesses, except the general allegations that she was harassing Sharda. No specific incident is stated as to when and how the applicant harassed Sharda. It is submitted that the applicant is suffering from illness and she is operated for ovary cancer. Now, she also requires treatment. The applicant has roots in the society and she will not flee away from the trial. The trial will take a long period. It is lastly prayed to allow the application.

6 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime. He submitted that the applicant's role is pointed out in the statements of the witnesses that she used to harass Sharda. Sharda was murdered by contract killing. The applicant is booked for serious crime and if she is released on bail, she will pressurize the prosecution witnesses and tamper the evidence. It is lastly prayed to reject the application.

7 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as the postmortem report. Applicant's

role is not pointed out either from the report or from the statements of witnesses as to how she treated Sharda with cruelty. The essential ingredients of Section 498-A of the IPC i.e. cruelty coupled with demand or cruelty driving to commit suicide or cruelty, which cause danger to the life of Sharda is not established from the entire charge-sheet. Further the applicant is operated for ovary cancer. The doctor has opined that she requires further treatment. In such circumstances, if the applicant is kept behind the bars till the conclusion of the trial, certainly it is not justifiable. Therefore, considering all the above reasons, case is made out for granting bail to the applicant as she is lady and also on the principle that bail is rule and jail is exception, on certain conditions. Hence, the following order:-

ORDER

- I. Criminal Application No.3224 of 2025 is allowed.
- II. Bail Application No.1209 of 2025 is allowed.
- III. The applicant in connection with Crime No.195 of 2025, registered with Devpur West Police Station, District Dhule, for the offences punishable under Sections 103(1), 85, 115(2), 351(2), 351(3), 352 and 49 read with 3(5) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.20,000/- 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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