



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 ANTICIPATORY BAIL APPLICATION NO. 1778 OF 2024

NIRMALA W/O JALINDAR SHINDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. A. R. Hange h/f Mr. R. G. Hange, Advocate for the applicants
Smt. Kavita R. Jamdhade, APP for the responded/State

CORAM : R. M. JOSHI, J.

DATE : 6th JANUARY, 2025

PER COURT :-

1. Applicants apprehend arrest in connection with Crime No. 147/2023, registered with Shirur (K) Police Station, Tq. Shirur, Dist. Beed for the offences punishable under Sections 354(A), 354(B), 327, 452, 323, 504, 506 r/w 34 of Indian Penal Code

2. The first informant is a lady. She gave report on 24/07/2023 in respect of the incident occurred on 17/05/2023. It is claimed that the accused persons entered the house and one of the accused outraged her modesty. The allegation against the present applicants is that they assaulted her with fist and kick blows and snatched her mangalsutra. The allegation against Satyabhama is that she used stick to cause assault.

3. Learned counsel for the applicants has drawn attention of the Court to the NC report No. 210/2023 registered on 18/05/2023 by the

informant indicating that in the incident she was abused and assaulted with fist blows. Thus, it is his submission that the allegations made in the first information report after two months of the incident are after thought. He makes statement of there being no criminal history behind them.

4. Learned APP opposed the application by referring to the seriousness of the crime.

5. There is no dispute about the fact that in respect of the incident occurred on 17/05/2023, NC report lodged by the informant wherein it is stated that owing to the previous disputes, incident occurred in which he was abused and assaulted with fist blows. The first information report is lodged belatedly it is after two months. Considering the disputes existing between the parties, the possibility of false/ over implication is not ruled out. Applicants are ladies with no criminal history. As such, there is no reason for rejecting the application. Hence, application is allowed in terms of interim order dated 18/10/2024.

(R. M. JOSHI, J.)

ssp