



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1981 OF 2025

REKHA MAHENDRA SONAWANE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for applicant : Mr. Anil M. Gaikwad (Through Legal Aid)
APP for the respondent – State : Mr. S.G. Sangle
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 11 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 253 of 2024 dated 17.09.2024 registered with Sindhkheda Police Station, District - Dhule for the offences punishable under section 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The report was lodged by the father of the deceased, who stated the deceased, being a habitual drunkard, left the house on the day of incident under the influence of the liquor and was allegedly in relationship with the present applicant. A quarrel ensued, when the deceased questioned the applicant about relationship, which led to an assault on the deceased by the present applicant, which resulted in the death of informant's son. In connection with the same, applicant was

arrested on 18.09.2024 and eventually, upon investigation being completed, the chargesheet has been filed on 13.12.2024.

3. Learned counsel for the applicant submits that the FIR is lodged on the basis of alleged inculpatory statement of the applicant. It is further submitted that it is case of false implication since the witness, namely, Nanabhau More whose statement is recorded, does not attribute any role to the applicant but instead state that the co-accused, were assaulting the deceased.

4. Learned counsel for the applicant further submits that the applicant being lady, has been in custody for last more than one year. There is no motive on the part of the applicant. Considering statutory provision for women, the applicant is entitled to be enlarged on bail.

5. The learned APP has opposed the application, submitting that the role of the applicant is apparent from the material on record and, considering the gravity of the offence, the applicant is not entitled for the bail.

6. A perusal of the documents, statements on record indicates that the statement of the witnesses under section 183 BNSS, *prima facie*, does not directly implicate the present applicant. The investigation is complete, chargesheet has been filed. Recovery is also effected and *prima facie*, in the absence of motive on the part of

the applicant, the further incarceration of the applicant being lady, is unjustified.

7. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

(II) Applicant – Rekha Mahendra Sonawane, be released on regular bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 253 of 2024 dated 17.09.2024 registered with Sindhkheda Police Station, District - Dhule for the offences punishable under section 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) After her release from jail, the applicant shall report to the Investigating Officer as and when called for in writing.
- (b) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.
- (c) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court.

- (e) The applicant shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (f) Before her actual release from jail, the applicant shall furnish his address where he propose to reside after her release from jail, to the concerned Police Station and also to the Trial Court.
- (g) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

8. Fees of Mr. A.M. Gaikwad, learned advocate for the applicant, appointed through High Court Legal Services Sub Committee, Aurangabad, be quantified and paid to him, as per rules.

[SACHIN S. DESHMUKH]
JUDGE

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