



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPEAL NO. 805 OF 2025

PANDHARI AMBADAS WATANE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

AND

CRIMINAL APPEAL NO. 808 OF 2025

REKHA PANDHARI WATANE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Shri Kawade Shrikant G., Advocate for the Appellants.
Ms. A.S. Mantri, APP for Respondent Nos.1 and 2/State.
Shri Shinde Sanket Sunil, Advocate for Respondent No.3.

...

CORAM : SUSHIL M. GHODESWAR, J.

DATE : 13 November 2025

P. C. :-

1. By these appeals, the appellants are praying for quashing and setting aside the orders dated 13.10.2025 passed by learned Additional Sessions Judge-1, Parbhani, in Criminal Bail Application Nos.691/2025 and 712/2025 whereby, the said applications preferred by the appellants for grant of regular bail, were rejected.

2. The appellants seek regular bail in pursuance of Crime bearing FIR No.0178/2025 registered on 26.08.2025 with Bamni Police Station, Taluka Jintur, District Parbhani for the offences punishable under Sections 118(2), 115(2), 333, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s), 3(2), 3(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Atrocities Act'). The FIR came to be lodged at the behest of respondent No.3/ informant.

3. The informant alleged that on 23.08.2025 at about 06:00 pm in evening, when her daughter was playing with the daughter of accused, quarrel took place between them. Due to which, accused Rekha came to the house of informant and abused her on the basis of her caste. Thereafter, on the same day at about 10:00 pm in night, the accused persons again came to the house of informant and dragged her out of home and assaulted her with sticks. One accused Omkar Gholme assaulted her by means of stick, due to which, the informant suffered injuries and she was hospitalized. Her statement came to be recorded in the Civil Hospital, which formed the basis for

registration of the crime.

4. During the course of investigation, the appellant (Pandhari) came to be arrested on 24.09.2025 and the appellant (Rekha) came to be arrested on 03.10.2025 and since then they are behind bars.

5. Learned advocate for the appellants submits that the main accused Omkar, who is author of injuries caused to the informant, has been granted regular bail by the Sessions Court vide order dated 03.11.2025 in Criminal Bail Application No.755/2025. The role performed by the present appellants is comparatively less incriminating than the role played by the main accused Omkar. Therefore, the appellants be released on bail. If the appellants are released on bail, they will abide by all conditions as may be imposed by this Court.

6. *Per contra*, learned APP as well as learned advocate for the informant have strongly opposed the instant appeals. According to them, the appellants are involved in heinous offence and if they are released on bail, they will threaten witnesses. The informant has sustained grievous injuries. The appellants are staying in same village and if they are granted bail,

they may threaten prosecution witnesses. Investigation is going on, therefore, it is not appropriate to release the appellants on bail.

7. Vide order dated 10.11.2025, the Investigating Officer was directed to remain present. Today, Investigating Officer Shri Prabhodhan Jondhale is personally present in the Court along with investigation papers. After having heard learned advocates for the respective parties and after going through the material available on record including investigation papers made available to me, it is found that the informant has sustained grievous injuries in crime. However, the allegation as regards causing said injuries is against the main accused Omkar, who has been released on regular bail by the Sessions Court vide order dated 03.11.2025. Investigation papers disclose that most of investigation is already over. The learned APP submitted that the statement of one witness is yet to be recorded. However, for this purpose, custody of the appellants cannot be prolonged. As such, there is no necessity to keep the appellants behind bars. Therefore, I am inclined to grant bail to the appellants.

8. In view of the aforesaid facts and circumstances, the

instant appeals deserve to be allowed by granting bail to the appellants on certain conditions. Hence, the following order:

ORDER

- a) Both the Criminal Appeals stand allowed.
- b) The impugned orders are quashed and set aside.
- c) In connection with Crime bearing FIR No.0178/2025 registered on 26.08.2025 with Bamni Police Station, Taluka Jintur, District Parbhani for the offences punishable under Sections 118(2), 115(2), 333, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s), 3(2), 3(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the appellants shall be released on furnishing PR bond of Rs.25,000/- [Rupees Twenty Five Thousand Only] each with one solvent surety/ security in the like amount.
- d) The appellants shall attend the concerned Police Station on every Monday at 11:00 AM in morning till filing of the charge-sheet.
- e) The appellants shall not try to contact or pressurize the witnesses or the informant, in any manner whatsoever.

f) The appellants shall not enter the territorial jurisdiction of villages Saykheda and Wazar, Taluka Jintur, District Parbhani till filing of the charge-sheet. They shall give their residential address to the concerned Investigating Officer.

9. However, it is made clear that the observations made in this order are *prima facie* in nature for the purpose of adjudication of these appeals and the learned Trial Court shall not be influenced by the same.

kps

(SUSHIL M. GHODESWAR, J.)