



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 BAIL APPLICATION NO. 2330 OF 2024

SUVARANA @ SAFERA W/O SACHIN KALE

... Applicant

VERSUS

THE STATE OF MAHARASHTRA

... Respondent

Advocate for Applicant : Mr. Shaikh Nasimoddin Rafiyoddin

APP for Respondent-State : Mr. V.M. Jaware

CORAM : ABHAY S. WAGHWASE, J.

Dated : 09th January 2025

ORDER :

1. Applicant seeks enlargement on regular bail in consequence to registration of crime against her bearing No.0281 of 2024, registered at Waluj Police Station, Tq. & Dist. Chh. Sambhajnagar, for offences under Sections 109, 189(2), 189(4), 190, 191(2) of the Bharatiya Nyaya Sanhita.

2. Learned counsel for the applicant submitted that, applicant is a lady and she is arrested in above crime on 27.11.2024 and she is behind the bars since then. Role only attributed her is of giving kicks and fist blows and nothing beyond it. Allegations are of

attempt to commit murder, but against other accused. Occurrence is fall out of dispute on account of partition. There is nothing to be recovered from her and therefore, in the light of above material, learned counsel pressed for grant of regular bail.

3. Learned APP opposed the present application on the ground that applicant is named in FIR.

4. Heard. Perused the papers. After going through the report lodged by one Aijaz Kale on 12.10.2024, above crime seems to have been registered. It is alleged that on 12.10.2024, when informant and his family were attending fare, his brother Sachin, sister-in-law i.e. present applicant, cousin Mixes Kale, Sachin Kale, and his son-in-law Kalpesh Pawar had also come there. Informant claims that his brother i.e. accused Sachin, who was under the influence of liquor, asked present applicant to request their father to partition the land and informant claims that, when he was trying to give understanding, Sachin whisked out knife and tried to assault the informant on the neck, but such blow was warded off and therefore, injury was inflicted on his head. There are allegations that present applicant and other relatives gave kicks and fist blows.

5. Thus, above discussed material in the FIR does indicate that, only allegation against the present applicant, who is lady, is of giving kicks and fist blows. Allegations of assault of knife only against Sachin Kale. Applicant is said to be behind the bars since 27.11.2024. Nothing is shown to be recovered at her instance. Learned APP also conceded that, allegations against the present applicant are of giving kicks and fist blows along with others. Hence, application deserves to be allowed.

ORDER

- i) The application is allowed.
- ii) Applicant Suvarna @ Safera W/o. Sachin Kale, be released on bail in connection with Crime No.0281 of 2024 registered with Walunj Police Station, Tq. & Dist. Chh. Sambhajinagar, on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- iii) The applicant shall not tamper prosecution evidence.

[ABHAY S. WAGHWASE, J.]