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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 ANTICIPATORY BAIL APPLICATION NO. 1353 OF 2025

MAHADEVI BALAJI KORE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr.S.S.Gangakhedkar, Advocate for the Applicant.
Mr.A.M.Phule, APP for the Respondent/State.

(CORAM : ADVAIT M. SETHNA, J.)

DATE : 04 AUGUST 2025

P. C. :

1. The Application is listed for the first time today.
2. Issue Notice to the Respondents. Mr.Phule, learned APP waives service for the State.
3. The Applicant has filed these proceedings under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”) as she apprehends arrest.
4. These proceedings arise out of CR No.0478 of 2025. The FIR is lodged on 19 May 2025 at 17:35 hours by the Nanded Gramin Police Station, Dist.Nanded. The date of occurrence of the alleged incident as stated in the FIR is in between 12 May 2025 to 19 May

2025. The FIR has been registered under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”). There are two accused persons as disclosed in the FIR, out of whom, accused No.1 is the present Applicant before this Court. The Informant is one Shweta Vinod Watkar, age 23 years, sister of the deceased. At the very outset, the learned Advocate Mr.Gangakhedkar for the Applicant would draw the Court’s attention to an order dated 18 July 2025 passed in ABA No.1111/2025 where Accused No.2 has been protected by this Court. From the perusal fo the order, it appears that it arises out of the same crime, the same FIR and the allegations are also similar, if not the same. The learned APP would strongly urge that there is a specific allegation against this particular Applicant/Accused. He being the class teacher, has harassed the Applicant. Resultantly, the Applicant was in tremendous stress and she then committed suicide. However, on the bare perusal of the FIR and the nature of accusations, it appears that the ingredients of Section 108 are not *prima facie* attracted to this particular Applicant.

5. With the assistance of learned Advocates for the parties, I have perused FIR and record available with the Court. Considering the nature of allegations, accusations made in the FIR *prima facie* in light of

the material placed on record, as also held by the Supreme Court, there does not appear to be proximity between the nature of accusations and the commission of suicide along with the proof of direct or indirect acts of incitement, inducement by the Applicant which led the victim to commit suicide/end his life.

6. The Applicant does not have any criminal antecedents as informed by the learned Advocate for the Applicant on instructions. In such factual matrix, the Applicant deserves protection in the following terms:-

ORDER

- (i) Until the adjourned date of hearing, in the event of arrest of the Applicant in connection with CR No.0478 of 2025 registered with Nanded Rural Police Station, Dist.Nanded for the offences punishable under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”), the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.20,000/- (Rupees Twenty Thousand Only) with one or more sureties in the like amount.
- (ii) The Applicant shall cooperate with the investigation and

shall attend the concerned police station on every Sunday at 11:30 a.m., until further orders and shall co-operate with the investigation.

- (iii) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately intimated to the concerned police station.
- (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, until further orders.
- (v) The Applicant shall not influence the witness/es and/or tamper evidence in any manner whatsoever.

7. List the proceedings for further consideration on **25 August 2025**.

8. The protection granted to the Applicant shall continue until the adjourned date of hearing.

(ADVAIT M. SETHNA, J.)