IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3384 OF 2025

Sarika Ashok Kir …Applicant
Versus
The State of Maharashtra …Respondent

Mr. Pratik Kalantri a/w Reepani Kasar a/w Renuka Shukla, for the Applicant.
Ms. S. K. Gajare, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 09th DECEMBER 2025

PC:-

1. Heard Mr. Kalantri, learned Counsel appearing for the Applicants and Ms. Gajare, learned APP appearing for the Respondent-State.

2. The present Application is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* ("**BNSS**") seeking pre-arrest bail in connection with CR No.325 of 2025 registered with the Upnagar Police Station, District- Nashik on 29th July 2025 for the offences punishable under Sections 140(1), 308(4), 309(4), 74, 333, 126(2), 118(1), 79, 115(1), 352, 351(2) and 3(5) of the *Bharatiya Nyaya Sanhita, 2023* ("**BNS**") and under Sections 39 and

45 of the Maharashtra Money Lending (Regulation) Act, 2014 ("**the Act**").

3. As per the prosecution case, the present Applicant and Co-Accused entered in the house of First Informant when she was alone and forcibly took cash and online payment, assaulted and abused in filthy language. The FIR also mentions that the First Informant had taken Rs.5,00,000/- as loan from the Applicant and she has paid exorbitant interest on the said amount.

4. It is the submission of Mr. Kalantri, learned Counsel appearing for the Applicant that the chargesheet is already filed and therefore custodial interrogation is not necessary. The Applicant is a woman.

5. On the other hand, Ms. Gajare, learned APP submits that the offence is very serious and chargehseet is filed against Accused No.2 i.e. son of the present Applicant. As far as the Applicant is concerned the chargesheet is filed under Section 335 of the BNSS. She therefore, submits that custodial interrogation is necessary.

6. A perusal of the record shows that there were many transactions between the First Informant and the Applicant, during which the First Informant received certain amount. It is the allegations of the First Informant that exorbitant interest is being paid by her. Although, the offence is serious, chargesheet is already filed against Accused No.1 and therefore the substantial investigation is completed.

7. Accordingly, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

O R D E R

(a) In the event of arrest of the Applicant- Sarika Ashok Kir in connection with C.R. No.325 of 2025 registered with the Upnagar Police Station, District- Nashik the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.35,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall attend the concerned Police Station on 18th December 2025 and 19th December 2025 between 11:00 a.m. to 02:00 p.m. and shall

cooperate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called.

(c) The Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

8. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]