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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 868 OF 2025

Raksana Arshad Ali Shaikh

.. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Mr. Vivek Nishad a/w. Mr. Ganesh Nagargoje, Advocates for Applicant.
 - Ms. Mahalakshmi Ganapathy, APP for Respondent – State.
 - Mr. Nitin Pagar, PI, Pydhonie Police Station present.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 29, 2025.

P.C.:

1. Heard Mr. Nishad, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent – State.

2. *Prima facie* it is seen that Applicant before me is admittedly a deaf and mute person. She is indicted and arrested alongwith 2 other co-accused persons namely Accused Nos.1 and 2 for having orchestrated the murder of her husband. It is seen that husband of Applicant was also deaf and mute as also the other accused persons who are deaf and mute.

3. Case of prosecution against Applicant is that she was having a love relationship with Accused No.1 and in order to further that relationship, she alongwith other co-accused persons conspired in

eliminating her husband – deceased victim who was killed in a gruesome manner. For enabling the Court to consider the present Application, precise role of the Applicant in the crime needs to be ascertained.

4. *Prima facie* learned prosecutor has drawn my attention to the statement of one witness namely Shehnaz Nazir Ahmed Shaikh who is also a deaf and mute person and who was staying alongwith Applicant in her house. The said witness through an interpreter has answered a few questions and her statement is appended at page No.250 of the Application. She has endorsed the love relationship of Applicant and Accused No.1 and has stated that Applicant had informed her on the night of 04.08.2024 that Accused No.1 had beaten her husband but whether he was killed was not known to her. The role of Applicant will have to be brought out by the prosecution in the present crime.

5. In the present crime, Applicant is a woman having two daughters aged 10 years who are presently being provided care and support by a relative of the Applicant are on these grounds I am inclined to consider the present Application.

6. Ms. Ganapathy, learned APP is directed to take appropriate instructions and apprise the Court about the precise role of Applicant on the next adjourned date when the Application shall be heard.

7. Stand over to 10th June 2025.
8. Needless to state that Advocate for Applicant will be at liberty to apply before the Vacation Court, if so desired.

[MILIND N. JADHAV, J.]

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