

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3051 OF 2025**

Mrs. Sarja Uttam Rathod	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Prasad Arun Kamthe, Advocate for Applicants.
Ms. G.P Mulekar, APP for the State.
API, Mr. Nilesh Nalawade, Kalewadi Police Station, Pimpri-Chinchwad, present.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 11th November 2025**

P.C.:

1. Heard Mr. Kamthe, learned Counsel appearing for the Applicant and Ms. Mulekar, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant, who is Accused No. 3 is seeking pre-arrest bail in connection with C.R. No.269 of 2025 registered with Kalewadi Police Station, Pimpri-Chinchwad, for the offences punishable under Sections 3(5), 318(4), 336(2), 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023 ("BNS").

3. The prosecution case is set out in paragraph 2 of the Order dated 26th September 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.6190 of 2025 filed by the present Applicant. The said paragraph No.2 reads as under :-

“2] In brief it is case of prosecution that the son of informant Shriram Uttam Rathod was arrested on 10/6/2025 in CR no. 39/2025 under section 109(1), 189(2), 191(3), 190 of BNS, sec. 4 (27) (35) of Arms Act, sec. 37(1)(3) r.w. 135 of Bombay Police Act. He was produced before Ld. JMFC, Pune. He was sent to MCR. In the said MCR report the age of Shriram was shown as more than 18 yrs and was sent in MCR. Later on an application was submitted showing that the date of birth of Shriram is 15/1/2009. So he was shown as juvenile conflict in law and was released by Ld. Trial Court. Later on, the investigation was made by investigation officer. He collected documents which indicates that the date of birth of Shriram is 15/1/2007. So by showing wrong date, and representing wrong date of birth before the Court fraud was committed on Court and Shriram was released on bail Thereafter the Ld. JMFC directed the police officer to make inquiry about the date of birth of Shriram. When the inquiry was made by the police

officer, it reveals that by showing the wrong date, Shriram was got released.”

4. It is the main contention of Mr. Kamthe, learned Counsel for the Applicant that there are total 5 Accused. He submits that Accused No.4 is the husband of the present Applicant, Accused No.1 is the brother of the present Applicant and Accused No.2 is son of Accused No.1. He submits that Accused Nos.1, 2 and 4 are arrested and they are not yet released on bail. He submits that the Charge-sheet is filed against other Accused and therefore the investigation is completed. He submits that the Applicant is a woman and not involved in the crime and therefore, the Anticipatory Bail Application be granted.

5. On the other hand Ms. Mulekar, learned APP strongly opposes the Application. She submits that the statements of the witnesses show that the Applicant has actually visited the School and has played major role in the crime. She submits that therefore custodial interrogation is necessary.

6. Perusal of record shows that the F.I.R. has been lodged on 26th June 2025 and except the Applicant, all other Accused have been arrested and they are still behind bar.

7. As far as contention that the Applicant has taken major role in the crime, even the statement of Vandana Sharad Pragne dated 21st June 2025 working as Clerk in Modern Public School, Pune shows that the Accused No.4 has visited the School along with the present Applicant. Thus, on the basis of the said material, it cannot be said that she has played major role.

8. However, it is clear that the Applicant is involved in the crime and the Applicant has filed Affidavit in C.R. No.39 of 2025 in Criminal Bail Application filed against son of the present Applicant. The Applicant is a lady. The Charge-sheet is filed against other Accused and thus practically the investigation is complete.

9. Accordingly, the Applicant can be granted pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant – Mrs. Sarja Uttam Rathod be released on bail in C.R. No.269 of 2025, registered with Kalewadi Police Station, Pimpri-Chinchwad, on executing P.R. bond of Rs.10,000/- and

furnishing one or two solvent sureties in the like amount.

- (ii) The Applicant shall attend the concerned Police Station on 17th November 2025 and 18th November 2025 between 11.00 a.m. to 2.00 p.m. and thereafter as and when called by the Police and shall co-operate with the investigation.
- (iii) 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.
- (iv) 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.

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

10. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)