

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3458 OF 2025**

Usha Abaso Patole	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Rahul Kadam a/w. Mr. Vedant Babor, for the Applicant.
Mr. S. A. Karmakar, APP, for the Respondent-State.

**CORAM: MADHAV J. JAMDAR, J.
DATED : 16th DECEMBER 2025**

PC:-

1. Heard Mr. Kadam, learned Counsel appearing for the Applicant and Mr. Karmakar, learned APP appearing for the Respondent-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.690 of 2025 registered with Daund Police Station, Pune, for the offences punishable under Sections 103(1), 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in paragraph Nos. 2 to 5 of the order dated 11th December 2025 passed by the learned Additional

Sessions Judge, Baramati, District-Pune in Criminal Bail Application

No.940 of 2025, which reads as under:

“2] Brief facts of the prosecution case are :-

The informant P.M.Bidri in this case is PSI attached to Daund police station. According to him, 02/05/2025 at about 07:30 pm deceased Dattatray @ Abaso Manik Patole was found dead and his death was informed to police station. So, the dead body of deceased was sent to Sub-District Hospital, Daund for post mortem. API Nagnath Patil visited Sub-District Hospital, Daund and prepared inquest panchanama of deceased in presence of panch witnesses. On inspection of body of deceased, he found 10 injuries on the person of deceased. After post mortem, medical officer has opined cause of death due to ‘intracranial haemorrhage due to # 2) Parieto - occipital bone due to trauma. However, visera preserved for final opinion’.

3] In the mean time, on 03/05/2025 one Vishal Manik Patole has reported death of Dattatray @ Abaso Manik Patole. On the basis of his report, A.D.No.56/2025 came to be registered U/Sec.194 of Bharatiya Nagarik Suraksha Sanhita, 2023 and handed over to the informant for inquiry. So, the informant has held inquiry about death of Dattatray @ Abaso Patole. During inquiry, he came to know that on 02/05/2025 at about 03:00 pm deceased returned back to home from his field by consuming liquor and started quarreling with his wife i.e. accused No.2. At that time, accused No.1, who is son of deceased, tried to pacify the quarrel. According to both accused, thereafter, deceased went to field and has consume poison and committed suicide.

4] But, from the injuries found on the body of deceased and opinion given by medical officer, who

conducted post mortem of deceased, also from the statement given by witnesses, the informant came to know that, both accused persons have beat deceased in their field, forcefully given poison to him, thereafter, they brought him to home, remove his clothes and bathed him, give salt water to omit the poison. Thereafter, after one hour, both accused took deceased to Dr.Pimple in their village. Then, he has been taken to Kolhe hospital, Daund. So, the informant realized that both accused persons have committed murder of the deceased and have tried to disappear the evidence against them. So, he lodged report against accused persons.

5] On the basis of his report, crime vide C.R. No. 690/2025 for the offences punishable U/Sec.103(1), 238 r/w. 3(5) of BNS, came to be registered on 05/11/2025 at Daund Police Station, Tal.Daund, Dist. Pune against the accused. The accused/applicant having apprehension of her arrest, has filed this application vide Section. 482 of B.N.S.S.”

4. It is the submission of Mr. Kadam, learned Counsel appearing for the Applicant that the incident in question took place on 2nd May 2025. The FIR has been lodged on mere suspicion on 5th November 2025 i.e. after 6 months. He submits that the deceased was alcoholic and on the day in question, he came in the house in heavily inebriated condition and the dispute took place between the Applicant (accused No.1), wife of the deceased and the accused No.2 i.e. son of the deceased and therefore, the deceased went to the field and has consumed poison and died by suicide. He submits that in that process there are certain injuries on the body of the deceased, however, the Applicant is not involved in the crime. He submits that

in any case, the incident has taken place on a spur of moment. There was no intention to commit the crime. He submits that the Applicant is lady. She is labourer and she will co-operate with the investigation. He submits that the accused No.2 i.e. son of the Applicant has been arrested on 5th November 2025 and he is still behind bars.

5. On the other hand, Mr. Karmakar, learned APP appearing for the Respondent-State submits that the offence is very serious and as per the prosecution case, the Applicant and the co-accused-her son killed the deceased and made show that the deceased died by suicide. He submits that as recorded in the post-mortem report, the cause of death is as follows:

“intracranial haemorrhage due to # 2) Parieto - occipital bone due to trauma. However, visera preserved for final opinion”.

He submits that therefore, there is *prima facie* substance in the prosecution case. He submits that the death of the deceased took place as both the accused have mercilessly assaulted the deceased. He submits that the offence is very serious and therefore, the custodial interrogation of the Applicant is necessary.

6. Perusal of the record shows that the incident has taken place on 2nd May 2025. The FIR has been lodged on 5th November 2025 i.e. after about 6 months. The accidental death report was registered on 3rd May 2025. Even as per prosecution case, the deceased is alcoholic and even on that day also he came in the house in heavily inebriated condition. The Applicant is a lady. In any case, even as per the prosecution case, the incident in question has taken place on a spur of moment. Mr. Kadam, learned Counsel appearing for the Applicant submits that the Applicant will fully co-operate with the investigation. There are no antecedents against the Applicant.

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

ORDER

- (a) In the event of arrest of the Applicant-Usha Abaso Patole in connection with C.R. No.690 of 2025 registered with the Daund Police Station, Pune, the Applicant is directed to be released on bail on her furnishing P.R. Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the Daund Police Station, Pune, on 22nd December 2025 and 23rd December 2025

between 11:00 a.m. to 02:00 p.m. and shall co-operate with the investigation. In addition, the Applicant shall attend the concerned Police Station as and when called by the Investigating Officer.

- (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.]

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