



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 51 OF 2025

Sau Babala @ Babita Rajesh Bilgaye Vs State Of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.R.Bansod, counsel for the applicant.

Mr. M.K.Pathan, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/01/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No. 594/2024 registered with Police Station Warud District Amravati for the offence punishable under Section 118(2), 190, 191(2), 191(3), 351(2), 351(3), 352 of the Bhartiya Nyay Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicant, who submitted that on the basis of a report lodged by Poonam Dnyaneshwar Lakode. The applicant is arraigned as an accused. As per the allegation on 01/10/2024, the applicant and the other co-accused abused the brother of the informant as well as assaulted him, when the complainant intervened, she was also assaulted by the present applicant. On the basis of the said report, police have registered the crime against the applicant. He submitted that as far as the allegation against the present applicant is concerned, she has assaulted the informant. The informant has sustained the injuries, and she is

immediately discharged from the hospital, custodial interrogation of the applicant is not required, in view of that, she be protected by granting anticipatory bail.

3. Learned APP strongly opposed the said application and submitted that, in furtherance of the common intention, the present applicant and other co-accused assaulted the informant as well as her brother. Due to which, the brother of the informant, namely Amol, has sustained grievous injury. As far as the present applicant is concerned, the allegation against her is that she assaulted the informant, who has also sustained the injuries. Therefore, custodial interrogation is required. In view of that, the application deserves to be rejected.

4. After hearing both sides and going through the recitals of the FIR and the investigation papers, it reveals that allegation against the present applicant is that she has assaulted the informant. The medical certificate of the informant is on record, which shows that she has sustained the injuries in the nature of abrasion with contusions, and contusions which is simple in nature. Thus, as far as the custodial interrogation is concerned, which is not required. In view of that, the applicant has made out of a case for grant of anticipatory bail by imposing certain conditions. Accordingly, I proceed to pass the following order.

a] The criminal application is **allowed**.

- b] In the event of the arrest, the applicant – Sau Babala @ Babita Rajesh Bilgaye, in connection with Crime No. 594/2024 registered with Police Station Warud District Amravati for the offence punishable under Section 118(2), 190, 191(2), 191(3), 351(2), 351(3), 352 of the Bhartiya Nyay Sanhita, 2023, be released on anticipatory bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.
 - c] The applicant shall attend the concerned police station once in a week on Monday in between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet, and shall cooperate with the investigating agency.
 - d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
5. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]