



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.474 OF 2025
(Aruna Prabhakar Solanke 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.M. Mane Patil, Advocate for the applicant.
Mr. A.M. Ghogare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 15, 2025.

By preferring this application, the applicant is seeking bail as he came to be arrested on 22/10/2024 in connection with Crime No.688/2024 registered with Police Station Umarkhed, District Yavatmal for the offence punishable under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by the informant on an allegation that on 12/10/2024 at about 9.00 AM deceased went out of the house but he did not return to home. Subsequently, his dead body was found and there were injuries on his person. On the basis of the said report, police have registered the crime against the unknown person. Present applicant claimed to be a mother of the deceased.

3. Learned Counsel for the applicant submitted that as per the allegation of the prosecution the applicant was having illicit relations with the co-accused and being

the deceased was impediment in their relationship and he was demanding the money from the mother repeatedly for fulfilling his habits of drinking liquor, therefore, he is eliminated. He submitted that as far as this allegation is concerned not substantiated by any material. In fact, even the confessional statement of the co-accused nowhere refers that there was illicit relationship between him and the present applicant. Except the CDR reports which shows there were frequent calls between the present applicant and the other co-accused. There is no other material to show her involvement in the alleged offence. In view of that, the applicant be released on bail.

4. Learned APP strongly opposed the application on the ground that considering the manner in which deceased was eliminated and the statements of the witnesses shows the involvement of the co-accused in the alleged incident. There was illicit relations between the present applicant and the co-accused. There were frequent calls between them. Thus, the circumstantial evidence, which is in the nature of the CDR reports sufficiently shows the involvement of the present applicant in the alleged offence. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, as far as the contention of the prosecution that there was illicit relations between the present applicant and the co-accused is not substantiated

by any material. None of the statement discloses about this illicit relationship. The another allegation that the deceased was harassing the present applicant who is the mother for money and demanding money frequently is also not substantiated by any of the witness. Thus, only on the basis of the CDR report, the involvement of the present applicant appears to be in the alleged crime. As the case is based on the circumstantial evidence, all the circumstances require to be established by the investigating agency. At this stage, it is not evidence is to be assessed or the appreciated but considering the nature of the material collected during the investigation and now investigation is also completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Aruna Prabhakar Solanke in connection with Crime No.688/2024 registered with Police Station Umarkhed, District Yavatmal for the offence punishable under Sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety, in the like amount.

(iii) The applicant shall not enter into the vicinity of Mahagaon Road, Z.P. Colony, Umarkhed till the culmination of the trial.

(iv) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case either personally or by way of electronic media.

(v) The applicant shall attend the proceedings before the Special Court without seeking any exemption unless there are exceptional circumstances.

(vii) The applicant shall furnish her detailed address along with the address proof wherein she is intending to reside after she is released on bail, before the investigation agency.

(viii) A single incident of tampering of the witnesses would lead to the cancellation of bail.

6. The contravention of any of the condition imposed by this Court would lead to the cancellation of bail.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)