



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

CRIMINAL APPLICATION(BA) NO. 1203 OF 2025

Mayabai Kashinath Kale and anr. Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.S.Shaikh counsel for the applicant.
Ms.Mrunal Barabde,APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 16/12/2025

1. The applicants are arrested in connection with Crime No.122 of 2025 registered with Police Station Bitergaon District Yavatmal for the offences punishable under Sections 109, 115(2), 125, 126(2), 3(5), 308(2), 309(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that the complainant and the applicant No.1 were having physical relations on 28.03.2025. She has extorted amount of Rs.80,000/- from him by blackmailing and she again called him and extorted Rs.16,000/- from his pocket, she assaulted him by slapping and also given threatening to implicate him in a false offence. The complainant has further stated that

her mother, who was present there throated his neck, and so his mouth get opened, at that time applicant No.1 put 20 to 25 allopathic pills in his mouth and tried to kill him. When he tried to escape from their clutches, at that time, the applicant No.1 chased him, stopped him at Haidar Ali Chowk, assaulted him by footwear, her mother also came there and she assaulted him by pelting stone at his leg and demanded Rs.2,00,000/- for breaking their relations. The applicants forcibly administered medicinal pills, he got stomach ache, at that time his mother and friend admitted him in government hospital at Dhanki.

3. The learned counsel for the applicants has stated that the applicant No.2 is 79 years aged lady and applicant No.1 is 40 years of age. Both of them are in jail since, May 2025. Now the charge-sheet is filed, the investigation is completed. The first informant is discharged from the hospital. As per the medical report, he was not suffering from any severe injury. Considering the age and as the daughter of applicant No.1 has delivered a baby and there is no one to look after her, prayed to release both of them on bail.

4. Learned APP has opposed the application stating that both the applicants are nuisance to the society. The statement of the witnesses shows that they were creating

nuisance in the said area and using the abusive language, however statements shows that witnesses have seen the complainant went in the house of the applicants and thereafter both the applicants assaulted him. Considering the nature of the offence and the offence under Section 109 of the Bharatiya Nyaya Sanhita, 2023 is registered, prayed to reject the application.

5. Heard both the sides and perused the record.

6. It appears from the record and the statements made by the witnesses that both the applicants are nuisance to the society, considering the act of the applicants and as the complainant who went there and has made the allegations about extortion and thereafter the incident took place. Now, the complainant is discharged from the hospital and considering the age of the applicant No.2, the case is made out to release the applicants on bail. Accordingly, I pass the following order:

i) The Criminal application is allowed.

ii) Applicants– Mayabai Kashinath Kale and Parvatibai Madhukar Paturkar be released on bail in connection with Crime No.122 of 2025 registered with Police Station Bitergaon District Yavatmal for the offences punishable under Sections 109, 115(2), 125, 126(2), 3(5),

308(2), 309(4) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 on their furnishing PR. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety each in the like amount before the trial Court.

iii] The applicants shall not in any way tamper with the prosecution evidence.

iv] The applicants shall not pressurize or threaten the prosecution witnesses.

v] The applicants shall co-operate the learned trial judge in the conduct of the trial.

vi] The applicants shall not enter into the village Dhanki till the conclusion of the trial.

7. The Criminal Application stands disposed of accordingly.

8. Pending application/s, if any, is are stand/s disposed of.

JUDGE