



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

CRIMINAL APPLICATION(BA) NO. 1357 OF 2025

Jaya Tulsiram Patthe 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.V. Sirpurkar, counsel for the applicant.
Mr. Anant Ghogare, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 22/12/2025

1) The applicant is arrested in Crime No.405 of 2025 registered with Police Station, Malkapur City District Buldhana for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2) It is the case of the prosecution that the wife and son has assaulted the deceased and he died. The information was given by the wife to the police and police have lodged the complaint against this applicant. The applicant went to the police station and informed the police that there was dispute between herself and her husband about the maintenance. Her husband came there, son and herself assaulted him with iron rod as he was beating her and he

fallen down in the bathroom and thereafter, there was no movement, therefore, she informed the police. Police went there and found that the deceased was no more. The learned counsel for the applicant has stated that the applicant herself went to the police station and informed that the assault was by her and her son. The injury certificate of the applicant shows that she was beaten by her husband and thereafter, she has beaten him in self defence and then he died. The investigation is completed, the charge-sheet is filed. The applicant is also suffering from some gynec problem she has to undergo hysterectomy and therefore, prayed to release her on bail.

3) The learned APP has opposed the application stating that though inadmissible statement is there, after verifying, the police registered the crime and the post mortem report shows that the separate sheet is required to be attached for the injury caused to the deceased. His own wife and son killed him. Considering the gravity of the offence, prayed to reject the application.

4) Heard both the sides and perused the record.

5) Though the applicant, who is the wife of the deceased has herself informed the police, it appears that she assaulted him in self defence as the injury certificate shows

that there was bite marks and the swelling was there. Considering her health problem and considering the role attributed to her, the case is made out to release the applicant on bail.

6) There is no need to keep the applicant behind the bar. Hence, the case is made out to release the applicant on bail. Accordingly, I pass the following order:

- i) Criminal application is allowed.
- ii) Applicant- Jaya Tulsiram Patthe be released on bail in connection with Crime No.405 of 2025 registered with Police Station, Malkapur City District Buldhana for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 on her furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand only) with solvent surety in the like amount before the trial Court.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.
- v] The applicant shall co-operate the learned trial judge in the conduct of the trial.

- 7) The Criminal Application stands **disposed of** accordingly.
- 8) Pending application/s if any, is/are stand/s disposed of.

JUDGE