IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 BAIL APPLICATION NO. 1800 OF 2026

Vandana Sainath Rathod
VERSUS
The State Of Maharashtra

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Mr. Yash B. Mote h/f Mr. More P. P., Advocate for Applicant
Mr. D. J. Patil, APP for the Respondent - State

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CORAM : HITEN S. VENEGAVKAR, J.
DATE : 13.10.2026

PER COURT :

1. Heard the learned Advocate for the Applicant and the learned APP for the Respondent-State. With the assistance of the learned Advocate, I have also gone through the entire charge-sheet.

2. The Applicant seeks regular bail in connection with Crime No. 89/2026, registered with Partur Police Station, Jalna, for the offences punishable under Sections 103(1), 109, 125, 118(2), 189(2), 190, 191(2), 191(3), 115(2), 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS"). The Applicant came to be arrested on 14.03.2026 and he is in Jail since then.

3. The learned Advocate for the Applicant submits that, there are, in all, eight accused persons, of whom accused No. 8, Sangita Rathod, has been released on bail. He submits that, the role ascribed to the present Applicant is at par with that of the said

accused – Sangita Rathod and, therefore, the principle of parity is applicable in the present case.

4. The Prosecution case, in brief, is that the Informant's family and the family of the accused are related to each other, and there has been a longstanding dispute between them regarding property. It is alleged that, there had been previous quarrels between the parties on the same issue. On the date of incident, the deceased – Bhausaheb Rathod, and accused persons were present in front of one shop, when a quarrel concerning the property dispute erupted between them. It is alleged that, the other co-accused persons, including the present Applicant arrived at the spot armed with wooden sticks, knives and iron rods. Thereafter, they started assaulting the family members of the Informant. The allegations in the FIR are specific to the respective accused persons, and no specific role has been attributed to the present Applicant therein. However, the Prosecution has recorded the statement of the Informant before the learned Magistrate, wherein a specific role has been attributed to the present Applicant. As per the said statement, the present Applicant, along with co-accused - Sangita Rathod, caught hold of the Informant by her hair and threatened her that, she would also be killed if she intervened. The deceased, Bhausaheb, succumbed to his injuries, while the husband of the Informant sustained serious and grievous injuries.

5. The learned Advocate for the Applicant submits that, the First Information Report merely mentions the presence of the present Applicant at the spot and alleges that she arrived there along with the other co-accused persons, armed with weapons.

However, there is no specific allegation as to the particular weapon allegedly carried by the present Applicant. He further submits that, the supplementary statement of the Informant came to be recorded on 20.05.2026, i.e. almost after two months from the date of incident. In the said statement, the Informant has attributed a specific role to the present Applicant along with co-accused - Sangita Rathod. However, the role attributed to the present Applicant does not relate to any assault on the deceased or the injured witnesses. The role attributed to the present Applicant is limited to catching hold of the Informant by her hair and threatening her. He submits that, the co-accused – Sangita Rathod has already been released on bail, and therefore the present Applicant whose role is stated to be at par with that of the said accused – Sangita Rathod, is also entitled to be released on bail on the ground of parity.

6. The learned APP for the State resisted the Application by stating that, the Applicant was present at the spot when the entire incident was taken place and she had actively participated in the same. A specific role has also been attributed to the Applicant in the supplementary statement of the Informant recorded before the learned Magistrate. It is, therefore, submitted that the Application deserves to be rejected.

7. I have perused the entire charge-sheet. The name of the present Applicant appears in the First Information Report. However, no specific allegation or description of the role played by the Applicant is set out therein. The supplementary statement of

the Informant recorded before the learned Magistrate attributes a specific role to the present Applicant. However, the role attributed to her does not involve inflicting any blows on the deceased or the injured person. It is a matter of record that co-accused Sangita Rathod, who is also alleged to have played a similar role as per the supplementary statement of the Informant, has already been released on bail. In my view, the principle of parity applies to the present Applicant in view of the similarity between the roles attributed to her and co-accused Sangita Rathod. Accordingly, I am inclined to allow the present Application.

ORDER

[I] The Bail Application is allowed.

[II] The Applicant, in connection with Crime No. 89/2026, registered with Partur Police Station, Jalna, for the offences punishable under Sections 103(1), 109, 125, 118(2), 189(2), 190, 191(2), 191(3), 115(2), 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, be released on bail on furnishing personal bond of Rs.50,000/- [Rupees Fifty Thousand Only] with one or two sureties in the like amount.

[III] The Applicant shall attend the concerned Police Station on 1st Monday of every month between 10.00 a.m. to 12.00 noon from the date of her release and thereafter, as and when the Investigating Officer directs the Applicant to attend the Police station.

8. Application stands disposed of accordingly.

[HITEN S. VENEGAVKAR, J.]

Sameer/Oct-2026