IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 BAIL APPLICATION NO. 1949 OF 2026

Indutai Chandravijay Mangnale
*VERSUS*
The State Of Maharashtra
...
Mr. Gangakhedkar Shailendra S, Advocate for Applicant
Mr. K. K. Naik, APP for the Respondent-State

CORAM : HITEN S. VENEGAVKAR, J.
Dated : 8th October, 2026

PER COURT :-

1. Heard the learned Advocate for the Applicant and learned APP for the State.

2. The present application is seeking regular bail of the applicant who came to be arrested on 09.04.2026 in connection with the first information report bearing Crime No.175 of 2026, registered with Bhagyanagar Police Station, Nanded for the offences punishable under sections 103(1), 61(2), 317(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 4/25 of the Indian Arms Act.

3. The investigation is complete and the charge-sheet has already been filed. The occurrence is alleged to have taken place on 6th April, 2026 and the First Information Report was registered on the same day. There are five accused persons. The applicant is not alleged to have been physically present at the place of occurrence and no act of

assault is attributed to her. The prosecution seeks to implicate her as a conspirator in the murder.

4. In brief, the prosecution alleges that the murder was carried out pursuant to a conspiracy involving the applicant's son, who is referred to in the record as 'Golu' and who had been confined in jail in connection with another offence since 1st June, 2022, accused Piyush Shinde, and the other accused. According to the prosecution, Piyush Shinde acted as the intermediary through whom the contract was arranged. The applicant and his husband had visited their incarcerated son and the prosecution alleges that discussions connected with the offence took place during such visits. Reliance is also placed upon call-detail records and a connectivity chart to contend that the applicant was in contact with Piyush Shinde and was, therefore, part of the alleged conspiracy.

5. The charge-sheet refers to two persons as eye-witnesses, namely Pravin Kachhwa, whose statement is recorded on 11th April, 2026 and Gajanan Shivram Chintale, whose statement is recorded on 11th April, 2026. Those witnesses speak about the occurrence and the assailants at the spot. Neither of them places the present applicant at the scene, identifies her as one of the assailants, or attributes any overt act to her. The defence has questioned the circumstances in which their statements came to be recorded and, particularly in relation to the

second witness, the feasibility of his journey to the spot. Those are matters for trial. For present purposes, what is material is that even if the statements are accepted at face value, they do not furnish a direct link between the applicant and the alleged conspiracy.

6. The learned Advocate for the applicant places his reliance on the order dated 02.09.2026 passed by this Court in Bail Application No. 1366 of 2026, granting regular bail to the co-accused Chandravijay Hausaji Mangnale. The learned Advocate for the Applicant submits that the observations made by this court in paragraph no. 4 of the said order squarely applies even to the present applicant. The prosecution case against the present applicant is pertaining to hatching of the conspiracy and the only material that is alleged is some accounts showing that the applicant had paid moneys to the assailants. Apart from that, the applicant is neither named in the FIR nor was she found at the place of the incident. Neither is she an assailant to whom any specific role has been attributed by the prosecution in the commission of the offence. Even the eye witnesses does not make any such allegation against the present applicant. He submits that thus, the case against the present applicant is circumstantial in nature and the allegations of conspiracy will have to be independently established by the prosecution. He further argues that the applicant who is a woman is suffering with 'advanced carcinoma cervix, Grade IV' and the

proposed treatment is Cisplatin based chemotherapy regimen. The reliance is placed by the learned Advocate for the applicant on the medical certificate dated 19.09.2026 issued by Prakash Institute of Medical Science and Research, Uran-Islampur, which is duly signed by the Doctor of the Department of Medicine of the said Institute.

7. The learned APP, though argues that the allegation against the present applicant is parting with the amount to the assailants for commissioning of the offence, he could not point out that there is any other direct nexus available on record to show that the present applicant was present on the spot and have any specific role played at the time when the offence was committed. The learned APP, however, submits that the role is specific of financing the contract killing and therefore, the law of parity will not apply.

8. I have perused the entire charge-sheet along-with the order dated 02.09.2026, granting bail to the co-accused, who happens to be the husband of the present applicant. The claim of parity does require consideration of the individual role attributed to the applicant and the evidence concerning her involvement in the offence. The release of the co-accused, does not, by itself, entitle every other co-accused on bail. In the present case, the role that has been ascribed to the co-accused Chandravijay Hausaji Mangnale, who was granted bail upon consideration of the eye witnesses and the material against him, when

compared with those circumstances with the allegations against the present applicant, it emerges that the role of the present applicant cannot lie at the higher pedestal as compared to that of the accused Chandravijay Hausaji Mangnale. Thus, the consideration that weighed in favour of the accused Chandravijay Hausaji Mangnale can also support the release of the present applicant on bail.

9. The another consideration which requires to be applied in the present case is the medical condition of the applicant, furnished by the learned Advocate for the applicant. The medical papers dated 19.09.2026 disclose that the applicant is suffering with 'advanced carcinoma cervix, Grade IV' and the said certificate has been duly certified by a competent Doctor of Prakash Institute of Medical Sciences and Research, Uran-Islampur. Thus, the applicant's condition must be assessed in context of the need for timely and uninterrupted treatment and the arrangements available during custody. The fact that the applicant is woman and is suffering from a documented serious illness, such as cancer, merits due weightage in the exercise of the discretionary relief that required to be granted by this Court. These circumstances, when considered together, with the merits of her application, the applicant deserves to be released on bail. In addition to this, there are no antecedents against the present applicant. Resultantly, the application deserves to be allowed. Hence, the

following order:

ORDER

(i) The Bail Application No. 1949 of 226 is allowed.

(ii) The applicant - Indutai Chandravijay Mangnale, shall be released on bail in Crime No.175 of 2026 registered with Bhagyanagar Police Station, District Nanded, on executing a personal recognizance bond in the sum of Rs. 50,000/- with one or two solvent sureties in the like amount, to the satisfaction of the trial Court.

(iii) The applicant shall not directly or indirectly contact, threaten, induce or promise any prosecution witness and shall not tamper with the evidence in any manner.

(v) The applicant shall attend the trial Court on every date unless her presence is specifically exempted and shall cooperate with the expeditious conduct of the trial.

(vi) The applicant shall report to Bhagyanagar Police Station as and when required.

(HITEN S. VENEGAVKAR, J.)

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