



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1885 OF 2025

Pratiksha Akash Shingare

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. Ajinkya Reddy, Advocate for applicant

Mr. D.B. Bhange, A.P.P. for respondent – State

.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 13th FEBRUARY, 2026

PER COURT :

1. The applicant is seeking release on regular bail in connection with Sessions Case No.109/2025, pending before the Sessions Judge, Jalna, which is registered pursuant to Crime No.249/2025, registered with S.B. Jalna Police Station, District Jalna for the offences punishable under Sections 103(1), 238 of the Bhartiya Nyaya Sanhita, 2023.

2. the prosecution case is that, the applicant committed

her mother-in-law and has attempted to destroy the evidence.

3. Learned counsel for the applicant submits that, the applicant has been falsely implicated in the present case. The case of the prosecution is based on circumstantial evidence. There is no material on record to connect the applicant in the alleged incident. The investigation is complete. Charge is filed and the applicant is behind the bars from 2/4/2025. The applicant is a lady and as such, deserves to be admitted to bail. Hence, prayed to allow the application.

4. Per contra, learned A.P.P. vehemently opposed the bail application, contending that, it is a matter of suspicion of character. The deceased was vigilant with the activities of the applicant. As such, the applicant has committed murder of the deceased and while taking the dead body in the gunny bag, is also noted by the landlord. Equally, the blood stained clothes were also seen. In that view of the matter, the complicity of the present applicant is rather apparent. As such, prayed to reject the application.

5. Having heard the respective counsel for both the sides and upon perusal of the record including charge sheet, indicates that, the applicant is prima facie involved in a brutal murder of her

mother-in-law and the said aspect is corroborated by the CCTV footage obtained by the investigating agency.

6. The Hon'ble Apex Court in case of **Kalyan Chandra Sarkar and Ors. Vs. Rajesh Ranjan and Ors. [(2004)7 SCC 528]**, while laying down the guidelines for grant or refusal of bail in serious offences like murder, has observed as under :

“11. The law in regard to grant or refusal of bail is very well settled. The court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the court granting bail to consider among other circumstances, the following factors also before granting bail; they are:

(a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.

(b) Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.

(c) Prima facie satisfaction of the court in support of the charge. (See Ram Govind Upadhyay v. Sudarshan Singh and Puran v. Rambilas.)

7. Similarly, the Hon'ble Apex Court in case of **Pralhad**

Singh Bhati Vs. NCT, Delhi [(2001) 4 SCC 280], held that on satisfaction of prima facie evidence establishing the guilt of the accused, the bail can be denied.

8. Similarly, the Hon'ble Apex Court in case of **Ram Govind Upadhyay Vs. Sudarshan Singh [(2002) 3 SCC 598]**, has held that a judicial discretion in granting bail must not be exercised whimsically, especially in heinous offences.

9. Equally, the Hon'ble Apex Court in case of **State of UP through CBI Vs. Amaramani Tripathi [(2005) 8 SCC 21]**, has held that the Court must evaluate the prima facie evidence showing the applicant's involvement. If such evidence is credible and supports the accusations, bail may be refused. As stated earlier, the prosecution has collected overwhelming evidence against the present applicant.

10. The Hon'ble Apex Court in case of **Prasanta Kumar Sarkar Vs. Ashish Chatterjee [(2010) 14 SCC 496]**, has held that, the mechanical grant of bail reflects non-application of mind, and outlined eight crucial factors to be considered, including reasonable ground for belief in guilt, nature of evidence and possibility of justice being thwarted.

11. The Hon'ble Apex Court in the case of **Mahipal Vs. Rajesh Kumar and Ors. (AIR 2020 SC 670)** has laid down the principle that bail can be refused when the material produced by prosecution establishes a clear prima facie case. The Court should not conduct a mini-trial; it should only examine whether the available evidence links the accused to the alleged offence.

12. The Hon'ble Apex Court in case of **State of Bihar Vs. Amit Kumar [(2017)13 SCC 751]**, has held that delay especially in cases involving serious offences, cannot by itself be a ground for bail. In the present case, the trial is progressing and further the prosecution has demonstrated the efforts to conclude the trial. Considering the seriousness of the offences involved, the overwhelming material weighs against the applicant.

13. Equally, the Hon'ble Apex Court has consistently reiterated that when considering bail application/s in serious offenses, such as pre-meditated murder, the Court must treat vital considerations like the nature of the charge and the nature of the evidence as paramount.

14. In view of the aforesaid facts and precedents, it is prima facie evident that the applicant is involved in the murder of his

mohter-in-law which is punishable to death sentence or imprisonment for life. Considering the severity of the offence, I am not inclined to exercise discretion in favour of the applicant. Therefore, the Bail Application is rejected.

15. The High Court Legal Services Sub-Committee, Aurangabad, to pay Rs.10,000/- (rupees ten thousand) as the fees to the learned counsel appointed on behalf of applicant.

16. Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

fmp/-