



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

BAIL APPLICATION NO. 2477 OF 2025

LAXMI KAUR VIRAMANGALSINGH ALIAS DONSINGH DUDHANI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Ms. Vishakha V. Bang holding for
Mr. Nilesh S. Ghanekar
APP for Respondent : Mr. B. B. Bhise
...

CORAM : SACHIN S. DESHMUKH, J.
DATE : 20-01-2026

PER COURT:-

1. The applicant seeks bail in connection with Crime No.199 of 2025 dated 07.07.2025 registered with Upnagar Police Station, Nandurbar, for the offences punishable under Sections 310(2) of the *Bharatiya Nyaya Sanhita, 2023*. In the said crime, the applicant is arrested on 08.08.2025. After completion of the investigation, the chargesheet has been filed.

2. The case of the prosecution is that the incident occurred at midnight on 07.07.2025. The informant was asleep in his house with his family members. At about 1.50 a.m., upon hearing a noise, the informant woke up and noticed five individuals with their faces muffled and wearing winter clothing, holding weapons, including a stick, a katawni, and an iron crowbar. They had broken

the main gate and trespassed into the bungalow but fled upon hearing the noise. The dacoits had cut the door lock, entered a room, and stolen a gold bracelet. Consequently, a report was lodged.

3. The learned counsel for the applicant submits that the applicant is falsely implicated. The applicant was not named in the FIR and was arraigned as accused on the basis of the CCTV footage. However, the investigating agency has not conducted the Test identification parade. Hence, prayed to allow the application.

4. The learned A.P.P. has opposed the application, submitting that the applicant is involved in a serious offence of dacoity and apprehended the possibility that the applicant may flee away if released on bail.

5. Having heard the respective counsel from both sides and upon perusal of the material on record, including the charge sheet, it is indicated that the arrest was effected purely on suspicion of dacoity. The sole basis for indicating the applicant's complicity is the CCTV footage. However, the veracity and reliability of this footage is an aspect of trial and cannot, at this stage, constitute the sole basis for continued incarceration.

6. As far as the applicant's antecedents are concerned, the documents produced indicate that she has previously been

enlarged on bail by the concerned trial courts. Furthermore, as has been held by the ***Honourable Apex Court in Ayub Khan vs. The State of Rajasthan (2024 INSC 994)***, a criminal history by itself cannot be the sole ground to reject a bail application when the applicant has established a strong prima facie case. Denying bail in the present circumstances may, therefore, not lead to the fruition of total relief.

7. Furthermore, the applicant is a woman with a family and was arrested on 08.08.2025, and has consequently been incarcerated for a period of almost four months. Being a woman, she is also entitled to special consideration for bail as provisioned under Section 480 of the Bharatiya Nagarik Suraksha Sanhita. Therefore, no purpose would be served by keeping the applicant behind the bars for indefinite period.

8. The apprehension expressed by the learned APP can be adequately taken care of by imposing stringent conditions. Thus, I am inclined to exercise discretion in favor of the applicant.

9. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Laxmi Kaur Viramangalsingh @ Donsingh Dudhani, be released on bail, upon furnishing P.R. bond in

the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No.199 of 2025 dated 07.07.2025 registered with Upnagar Police Station, Nandurbar, for the offences punishable under Sections 310(2) of the *Bharatiya Nyaya Sanhita, 2023*, on the following conditions :-

- (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicant shall submit Aadhar or Pan Card to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) 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]
JUDGE