



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

88 BAIL APPLICATION NO. 438 OF 2026
WITH CRIMINAL APPLICATION NO. 1095 OF 2026

JANABAI KISHOR LABADE
VERSUS
THE STATE OF MAHARASHTRA

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Mr. D. R. Kale, Advocate for Applicant
Mr. C. V. Bhadane, APP for the Respondent/State
Mr. Z. H. Farooqui h/f Mr. N. V. Gaware, Advocate for the informant

CORAM : RAJNISH R. VYAS, J.
DATE : 23rd MARCH, 2026

PER COURT :-

1. This is an Application for grant of bail in connection with FIR No. 79/2026 dated 30/01/2026, registered with Newasa Police Station, District Ahilyanagar for commission of offence punishable under Sections 118(1), 118(2), 115(2), 351(2), 352, 324(4) of the Bharatiya Nyaya Sanhita, 2023.
2. At the outset Mr. Farooqui, learned Advocate for the Applicant has tendered an application along with documents seeking permission to assist the prosecution. The said application is taken on record and for the reasons stated therein, is allowed.
3. The applicant is the sole accused who was arrested in the Crime on 05.02.2026.

4. It is alleged in the First Information Report by the informant Kalpana Labade, that the agricultural field of the applicant is situated adjacent to the agricultural field of the accused and on that account, quarrels had taken place on various occasions. It is further stated that a dispute between the parties is pending before the Civil Court.

5. It was alleged in the First Information Report that on 29.01.2026, when the informant, along with her daughter, was proceeding on a two-wheeler (scooty), at that time, the present applicant by means of wooden stick, obstructed the informant and started hurling abuses. Thereafter, the informant stopped her vehicle and applicant/accused assaulted her on the shoulder as a result of which the informant and her daughter fell down. The accused also assaulted the informant by means of kicks and fist blows and again by the wooden stick, caused damage to the vehicle.

6. The aforesaid incident set the criminal law in motion, as stated above. Since the applicant has sustained injuries, she was forwarded for medical examination. The record produced reveals that the informant had sustained fracture injury and was operated upon.

7. Learned Advocate for the applicant submits that the applicant is a lady and has a civil dispute with the informant and it is due to the aforesaid reason, a false report has been lodged against her. He submits that weapon of

crime is already seized and that the injured is discharged from the hospital. He submits that considering the nature of offence, she be released on bail.

8. Per contra, learned APP submitted that the injured has sustained a grievous injury, more particularly a clavicle fracture, for which she was required to be operated upon. He, thus prayed for rejection of the application.

9. Mr. Farooqui, learned Advocate for the Informant has submitted that the applicant is a troublesome lady and on account of her nuisance, several non-cognizable complaints were filed against her, so also chapter proceedings were initiated. He submitted that release of the present applicant would again create a troublesome situation.

10. With the assistance of respective learned Advocates, I have gone through the record.

11. The First Information Report was lodged on 30.01.2026, whereas incident occurred on 29.01.2026. The prosecution has contended that the applicant assaulted the informant by means of stick, as well as by kicks and fist blows. The record further shows that the applicant was arrested in connection with the offence on 05.02.2026 and since then she is in jail. It is not disputed that the informant is now out of danger and has been discharged from the hospital. The fact that the weapon has also been seized is not

disputed. *Prima facie*, it seems that the original dispute is civil in nature. Since the material part of investigation is already over and considering the manner in which the incident has taken place, as well as the weapon used, I am inclined to pass following order.

ORDER

- (i) The applicant be released on bail on furnishing P.R. bond of Rs. 25,000/- with one solvent surety in the like amount in connection with Crime No.79/2026, registered with Newasa Police Station, District Ahilyanagar for commission of offence punishable under Sections 118(1), 118(2), 115(2), 351(2), 352, 324(4) of the Bharatiya Nyaya Sanhita, 2023.
- (ii) The applicant shall attend the concerned Police Station till filing of the charge-sheet on every Sunday in between 10.00 a.m. to 12.00 p.m.
- (iii) The applicant shall not tamper with the prosecution evidence/witnesses in any manner.
- (iv) The applicant shall not leave State of Maharashtra without prior permission of the Court.

(RAJNISH R. VYAS)
JUDGE

ssp