



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

BAIL APPLICATION NO. 457 OF 2026

Sarala Dharmendra Chavhan,
Age : 42 Years, Occu. : Household,
R/o Parijat Apartment, Shiv Colony,
Jalgaon, Dist. Jalgaon. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Vijay B. Patil, Advocate for the Applicant.
Shri A. R. Kale, Addl.P.P. for the Respondent – State.
Shri Sanjay D. Hiwrekar, Advocate for the Informant –
intervenor.

CORAM : SHAILESH P. BRAHME, J.
DATE : 23RD APRIL, 2026.

FINAL ORDER :

. Heard both sides.

2. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 718/2024 registered with M.I.D.C. Police Station, Jalgaon, Dist. Jalgaon for the offences punishable U/Sec. 103(1) and Sec. 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. It is reported by the husband of the deceased Suvarna that they were staying alone at Jalgaon and he was running a business at Subhash Chowk, Lathi Market, Jalgaon. On fateful day i. e. 10.10.2024, when he returned home by closing shop at

about 8.45 pm, he found his wife lying in the pool of blood in severely injured condition. She was unconscious. The neighbouring persons were called for and she was shifted to hospital, where she was declared to be dead.

4. Applicant is arrested on 12.10.2024. The charge sheet is filed on 26.12.2024. Learned counsel Mr. Vijay Patil appearing for the applicant submits that there is no direct evidence against the applicant. No incriminating material is collected to connect the applicant with the crime. She is being arrested merely on suspicion. The statements of the witnesses do not show that applicant had any *mens-rea* to commit murder and she actually participated in the assault. The evidence on record is not sufficient to establish the missing link to connect the applicant to the crime.

5. Per contra, learned Addl. P. P. Mr. Kale would submit that the statements of the witnesses namely Savita Mahesh Dhuppad, Vandana Lalbabu Paswan and Salma Sanjay Tadvu would unequivocally make out case of motive and *mesn-rea*. The deceased had given her golden articles for hypothecating it to the applicant. The deceased had also given cash amount to accused No. 1 – Lalbabu. It was agreed that the money lent and golden articles would be returned to her before Diwali. The accused failed to keep the promise and deceased was required to insist for the golden articles and the money. The case of the prosecution is corroborated by the statements of jeweler Abhijit Rameshwar

Saraf and daughter Shruti Rajesh Nawal. The recovery of weapon is at the instance of the accused No. 1. The weapon query analysis supports the prosecution case. The Trial has already been expedited and there is no need to enlarge the applicant on bail.

6. Additionally, learned counsel Mr. Hiwrekar for the informant would submit that during investigation C.D.R. record is collected to disclose continuous correspondence amongst the accused and even with the deceased. The motorcycle which was used for reaching the spot has also been seized. The applicant is stated to be the mastermind of plan to eliminate the deceased and the same has been executed.

7. The first information report does not spell out the name of any of the accused persons including the applicant. During the course of investigation it revealed that deceased was indulging in the money lending. It further revealed from the statement of Salma Tadvi, who was maid servant that in the evening of fateful day, she found one unidentified person in the house. The statement of Savita Dhuppad would disclose that deceased was having money lending business and there was some transaction between the accused and the deceased. More reliance is placed on the statement of Vandana, who happens to be wife of the accused No. 1 – Lalbabu. She was knowing present applicant and they had been to deceased for taking financial help. They were given neckless for liquidating it. It is further stated that

they demanded further money, but some ornaments were given by the deceased for hypothecation which were agreed to be returned before Diwali.

8. I have also considered statement of Shruti Rajesh Nawal, who disclosed independently to her father that deceased had disclosed the secrete transactions with the accused persons. The statements of Vandana, Salma, Shruti and Abhijit would make out a case of motive. In the absence of any clinching material on record, *prima facie* it is difficult to connect the applicant with the crime. The recovery of weapon and seizure of vehicle would be of no avail to show that applicant actually hatched any conspiracy and actually participated in it.

9. The weapon query analysis, CDR record and recovery of weapon would assist the prosecution in the trial, if the link is established. It is a case of circumstantial evidence. Hence heavy burden is upon the prosecution to complete the chain so as to show culpability of the applicant. The motive or suspicion whatsoever strong may be, would not make the accused to stay behind the bars. The applicant is behind bars since 12.10.2024. She is a woman. No criminal antecedents are against her. It is desirable to release her on bail.

O R D E R

A. The bail application is allowed.

B. Applicant – Sarala Dharmendra Chavhan shall be released on bail in respect of Cr. No. 718/2024 registered with M.I.D.C. Police Station, Jalgaon, Dist. Jalgaon for the offences punishable U/Sec. 103(1) and Sec. 3(5) of the Bhartiya Nyaya Sanhita, 2023 on condition of furnishing P. R. bond and S. B. of Rs. 40,000/- (Rs. Forty thousands only) with one solvent surety of like amount.

C. The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

D. The applicant shall cooperate in expeditious disposal of trial.

E. The applicant shall surrender her Aadhar and Pan cards to the investigating officer.

F. The applicant shall stay away from Jalgaon city till conclusion of the trial, save and except attending the dates of trial.

G. The applicant shall give her mobile/cell number and address to the investigating officer.

H. Needless to state that the trial Court is requested to expedite the trial.

I. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 26