



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 509 OF 2026

Sonabai Indrabhan Nikam Alias Vandana Ashok Nikam

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondent

.....

Advocate for Applicant : Mr. Bhagwat Nilesh N
APP for Respondents: Mrs. P.J. Bharad.

CORAM : MEHROZ K. PATHAN, J.

DATE : 21st APRIL, 2026.

P.C. :-

1. The applicant has approached this Court seeking anticipatory bail in connection with Crime No. 22 of 2026, registered with Kopergaon Rural Police Station, District Ahilyanagar for the offences punishable under Sections 118-1, 118-2, 351-2, 352 r/w. 3-5 of the Bhartiya Nyaaya Sanhita.

2. The case of the prosecution is that Informant Anita Sudam Bhosale on 29/01/2026 lodged report with Kopergaon Taluka Police Station. According to the informant on 17/01/2026 at 7:30 pm she along with her husband had gone to a public water tap located in front of house of co-accused Amol Indrabhan Nikam. It is alleged that at relevant time the co-accused Amol Nikam his brother Shubham Nikam and their mother Sonabai (applicant/accused) abused and threatened to the informant and her husband. It is alleged that the co-accused Shubham gave a stick blow on the head of husband of the informant namely

Sudam Bhosale. The applicant Sonabai assaulted on back of Sudam by means of pot so he fall down and sustained head injury. Immediately the injured Sudam was carried to the Super Specialty Hospital, Shirdi for treatment and hence, there is a delay in lodging the report.

3. The learned counsel for the applicant submit that applicant lady is deliberately dragged in the present crime, with an intention to implicate the entire family members of Shubham, who is the main accused in the present crime. The allegations of assault are against Shubham, who is alleged to have assaulted the husband of complainant by means of iron rod on the vital part. The applicant is alleged to have assaulted by means of a water pot on the back of the complainant's husband. There are no injuries sustained by the complainant as allegedly attributed to the applicant. The applicant is not having any criminal antecedents and is ready to abide by the conditions that may be imposed by this Court. Hence, the applicant may be released on anticipatory bail.

4. As against this, the learned APP vehemently opposes the application. The learned APP submits that the complainant's husband was required to undergo treatment of grievous head injury sustained by him in the present incident. The applicant was also present at the time incident and is attributed overt act of assault by means of a pot on the complainant's husband. The complainant's husband injured Sudam Bhosale is still not in a condition to speak due to the injuries sustained by him on his head. The injury certificate shows that the injuries were grievous in nature. Hence, the provisions of Section 118(2) of the BNS were lateron invoked. The offence is punishable with life imprisonment. Hence, the applicant may not be released on bail.

5. I have gone through the investigation papers. The investigation papers shows that the entire investigation is already

complete. The other co-accused Shubham and Amol are already released on regular bail. The seizure recoveries are also made by the Investigating Officer. The relevant statements are already recorded in the present crime. The investigation papers contain the injury certificate of the victim Sudam Bhosale, husband of the complainant. The injury certificate does not show any injury on the back of the injured witness Sudam Bhosale. The applicant is alleged to have assaulted on the back of the complainants husband by means of a water pot. The injury certificate does not corroborate the allegations; hence, the false implication of the applicant cannot be ruled out. However, these observations are prima facie in nature and are made only for the purpose of deciding the present application. The apprehension of the learned APP can be taken care of by imposing stringent conditions. As such, I am inclined to protect the applicant. Hence, the following order :-

ORDER

[I] In the event of arrest of the applicant, in connection with Crime No. 22 of 2026, registered with Kopargaon Rural Police Station, District Ahilyanagar for the offences punishable under Sections 118-1, 118-2, 351-2, 352 r/w. 3-5 of the Bhartiya Nyaaya Sanhita, the applicant Sonabai Indrabhan Nikam Alias Vandana Ashok Nikam, be released on bail on furnishing PR Bond in the sum of Rs. 50,000/- , with one or more sureties in the like amount, on the following conditions :-

[i] The applicant shall attend the concerned police station and report to the Investigating Officer on 27th, 28th April, 2026, between 2.00 p.m. to 5. 00 p.m. and thereafter as and when called by the Investigating Officer and shall cooperate with the investigation.

[ii] The applicant shall not enter the village Pohegaon, Taluka Kopargaon, Dist. Ahilyanagar till filing of the charge sheet.

[iii] A single violation of the condition shall entitle the prosecution to seek cancellation of bail.

[iv] The applicant shall submit her Aadhar card and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of her near relatives and her present address.

[v] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-