

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 3148 OF 2025

**SMT. PARVATI ALIAS ARCHANA VITTAL MANE
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr. Ghanshyam Upodhayay a/w Mr. A. K. Shukla and R. K. Tiwari,
Advocate for Applicant
Mr. A. S. Shalgaonkar, APP for Respondent/State
Mr. Chandrakant Yadav, Advocate for Intervener
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 14TH JANUARY, 2026

PER COURT :

1. By this application, applicant seeks bail in C.R. No.85/2025, registered with Dahiwadi Police Station, District Satara, for offence punishable under Sections 103, 238, 61(2)(a) of Bharatiya Nyaya Sanhita.

2. Prosecution case, in short, is that the deceased Yogesh and accused Roshni were in a love relationship. A meeting of the family members from both the sides was convened wherein they instructed the deceased and accused Roshni to stay away from each other. However, after about a year accused Parvati informed the father of deceased that deceased and Roshni had rekindled their relationship. She further stated that deceased was harassing her by demanding repayment of an advance amount. When the deceased's

family confronted him, he stated that Parvati had borrowed money from him on multiple occasions and was evading repayment. Informant is brother of the deceased. On 18/03/2025, while informant was in Pune, his wife informed him that deceased had gone out and had not returned. His phone was also switched off. The next day informant's father stated that deceased had told him on 18/03/2025 that he was going to Narawane for work, but he never returned. Despite an extensive search, deceased Yogesh could not be found. Consequently, the informant returned to his native place on 20/03/2025 and lodged a missing report at Dahiwadi Police Station.

3. Friends of deceased Yogesh informed the informant that on 18/03/2025 they met Yogesh at Dahiwadi and while they were chatting he received a call. Thereafter, Yogesh told them that the call was from accused Roshni, who had asked him to come to Narawane to get the repayment of loan amount. Accordingly, Yogesh proceeded to Narawane in his car. The informant along with Yogesh's friends, went to Naravane to this applicant's house where they met her sister. She informed them that Roshni had been there on 17/03/2025 and had returned to Satara on 19/03/2025.

4. On 22/03/2025, informant received a call from Dahiwadi Police Station stating that a vehicle had been found in a canal.

Informant went to the spot where the vehicle was retrieved. It was the deceased's Swift Car and his body was found on the back seat of the said car with injuries on his head and fingers. His hands and legs were tied. Informant identified the body as that of his brother. Applicant was arrested on 23/03/2025.

5. Heard learned advocate for applicant, learned APP for the respondent/State and learned advocate for informant. Perused the record.

6. Learned advocate for applicant submits that applicant was at Nalasopara at the time of commission of alleged offence. There is hardly any evidence collected during the investigation to show the involvement of applicant in the conspiracy to commit murder of the deceased. The applicant is 62 years old lady. Since the charge-sheet is filed in the present matter, applicant's further custodial detention is not necessary.

7. Learned APP strenuously opposed the application by relying on the CDR of applicant with other accused, which according to him shows involvement of applicant in the conspiracy to commit murder of the deceased. He also placed reliance on the statement of applicant's daughter who has allegedly given details of the manner in which conspiracy was hatched to murder the deceased and how the plan was executed.

8. Learned advocate for informant vehemently opposed the application stating that there is sufficient evidence on record to show the involvement of applicant in the conspiracy to kill the deceased. He submits that applicant is also accused of committing murder in one more crime. Therefore, there are criminal antecedents against the applicant. Her application in that case seeking discharge is rejected by the trial Court on merits. The applicant's side has threatened witnesses and therefore, she may tamper the prosecution evidence if released on bail.

9. The investigation papers reveal that there are continuous calls between applicant and her daughter accused No.2 and son accused No.3. Apart from this, statement of neighbours of the applicant is recorded, to whom the applicant has requested to bring back the vehicle used by her son in the alleged crime to their house, which was left by her son. So far as statement of the daughter of applicant Rashmi wherein she has allegedly given details of the conspiracy and commission of murder is concerned, learned advocate for applicant has stated that she has sworn an affidavit stating that she has not given such statement to the police. *Prima facie*, there is hardly any evidence connecting the applicant as a master mind of the conspiracy to commit murder of the deceased.

10. Charge-sheet is filed in the present crime on 16/06/2025, wherein 47 witnesses are cited. Till date charge is not yet framed. Trial is, therefore, not likely to conclude in near future.

11. Taking into consideration the scanty evidence against the applicant and the fact that applicant is 62 years old lady, in view of provisions of Section 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023 applicant being a woman deserves to be released on bail. Further detention of the applicant would amount to pre-trial punishment.

12. Hence, the application is allowed. Applicant Parvati Alias Archana Vittal Mane be released on bail in connection with C.R. No.85/2025, registered with Dahiwadi Police Station, District Satara, on executing personal bond of Rs.1,00,000/- with one or more sureties in the like amount. Applicant is permitted to furnish cash security.

13. Applicant shall scrupulously attend the trial. Applicant shall not enter Satara District except for attending the trial.

14. Applicant shall not tamper with the prosecution evidence. Applicant shall give her residential address and mobile number to the trial Court.

(NITIN B. SURYAWANSHI, J.)