

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

ANTICIPATORY BAIL APPLICATION NO. 206 OF 2026

CHINGUBAI SHIVHAR BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Nilesh Dattatraya Joshi
a/w Mrs. Smita Shinde

APP for Respondents/State : Mr. Nitin B. Patil

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CORAM : MEHROZ K. PATHAN, J.

DATE : 11th JUNE 2026

PER COURT :

1. Heard the learned Counsel for the Applicant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.234/2024 registered with M.I.D.C. Police Station, District Solapur City for the offences punishable under Sections 376, 341, 354-B, 323, 506, 504, 34 of the Indian Penal Code, 1860.
3. The learned Counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. The allegations of rape are directed against the husband of the Applicant, namely Shivhar Bhosale. The allegations are inherently improbable, and the

Applicant is alleged only to have assisted her husband in the commission of the offence. A perusal of the FIR itself shows that there are disputes between the Applicant and the complainant, giving rise to a strong likelihood of false implication. The Applicant, a woman aged 45 years, has no criminal antecedents. She is ready to abide by any conditions that may be imposed by this Court. Hence she may be protected and released on anticipatory bail.

4. As against this, the learned APP strongly opposes the present application on the ground that the applicant is involved in the serious offence of rape committed by her husband. It is alleged that the Applicant actively participated in luring the Complainant and thereafter facilitated the commission of rape. The victim girl was subjected to medical examination, and the report corroborates the allegations in the FIR. Statements recorded during the course of investigation also substantiate the allegations in the FIR. The Applicant is the real aunt of the Complainant, and there is every likelihood that, if released on bail, she may commit another cognizable offence or threaten the prosecutrix, thereby causing prejudice to the prosecution case. Hence this is not a fit case to grant anticipatory bail to the Applicant.

5. I have gone through the investigation papers made available by the learned APP as well as the FIR. The perusal of the FIR shows that the Complainant was allegedly called upon to settle the property dispute. The allegations of rape are directed against the husband of

the Applicant, Shivahar Bhosale. The only allegation against the Applicant is that she assisted her husband in the commission of rape. Taking into consideration the property dispute and the submission of the applicant that she has been falsely implicated in the present crime to wreak vengeance, such a possibility cannot be ruled out at this stage. However these observations are prima facie in nature and are made only with purpose to decide the application and the same may not influence the trial Court.

. Taking into consideration that the Applicant is a woman and is aged 45 years and she is not having any criminal antecedents, I am not inclined to protect the Applicant. The apprehension of the learned APP can be taken care of by imposing conditions upon the Applicant. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Chingubai Shivhar Bhosale in connection with Crime No.234/2024 registered with M.I.D.C. Police Station, District Solapur City for the offences punishable under Sections 376, 341, 354-B, 323, 506, 504, 34 of the Indian Penal Code, 1860, she be released on bail on furnishing PR. bond of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, on the following conditions :

(a) The Applicant shall attend M.I.D.C. Police Station, District Solapur City on every Friday and Saturday between 11:00 am. to 01:00 pm. and thereafter as when called by the Investigating Officer, till filing of the charge-sheet.

- (b) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.
- (c) The Applicant shall not threaten the Complainant or contact the Complainant.
- (d) The Applicant shall submit her Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of herself and two of the near relatives.
- (e) A single violation by the Applicant, such as making an attempt to contact or threaten the complainant, shall entitle the prosecution to seek cancellation of the Applicant's bail.
- (ii) The application is allowed in the above terms and stands disposed of.

MEHROZ K. PATHAN
JUDGE