

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.229 OF 2026**

Rekha Dattu Mahanubhav	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Ranjeet G. Jadhav (through VC) a/w Mr. Ramchandra Wagh,
for Applicant.
Ms. G.P. Mulekar, APP for the State.
PSI, Yogesh Jadhav, Vadner Khakurdi Police Station, Nashik Rural
present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 28th January 2026

P.C.:

1. Heard Mr. Jadhav, learned Counsel for the Applicant and Ms. Mulekar, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking pre-arrest bail in connection with C.R. No.513 of 2025 registered with Vadner Khakurdi, Police Station, Nashik Rural, for the offences punishable under Sections 108, 85, 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ("BNS").

3. The prosecution case is set out in paragraphs 5 to 8 in the Order dated 9th January 2026 passed by the learned Additional District Judge, Malegaon, District Nashik in Criminal Bail Application No. 1142 of 2025, which reads as under :

“5. The informant is the mother of deceased. The deceased namely Vaishali had married with accused No.1 on 29.1.2012. They had one son Harshal aged 13 years and one daughter Pranali aged 10 years. After marriage, the deceased had lived happily for 6 to 7 years. Thereafter, from last 5 to 6 years present applicant and husband of deceased have suspected character of the deceased. Even they had ill-treated her on petty reasons also hurled abuses and hit her badly. The husband of deceased / accused No.1 addicted liquor. At the instance of present applicant, the accused No.1 ill-treated deceased hurled abuses and hit her.

6. The deceased used to disclose these instances to informant and her husband about the act of ill-treatment at the instance of present applicant and accused No.1. The informant and her family have belonged to weaker financial position as such they persuaded the informant time and again and sent her back to her matrimonial house. The informant and her husband have persuaded to the present applicant and accused No.1 as not to ill-treat the deceased. In the month of December 2023, it was discord between deceased and accused No.1 that time they resided subsequently separately at Nashik for some period but again the accused No.1 raised quarrel with deceased. Due to fear of present applicant and accused No.1, informant has not lodged the report.

7. In the current year of 2025 at the time of Diwali festival, it was family meeting on account of ill-treatment of applicant and accused No.1. At that time, the accused No.1 took her at matrimonial house on 27.10.2025 after the meeting. On 17.11.2025 at about 2.00 p.m., present applicant phoned to the informant that deceased was

missing. Informant, her husband and her son have been to the house of deceased and took search of her in the premises of land. The water from the well was extracted but the deceased was not found. The missing report was lodged at Vadner Khakurdi Police Station. On 27.11.2025 at about 10.00 a.m., the daughter-in-law of informant phoned her that the body of deceased was found floating in water well. The informant and her husband have been over there and found the skin of the deceased was peeled off. The post mortem was conducted on 22.11.2025. The death of the deceased was on account of ill-treatment and cruelty by the present applicant and accused No.1.

8. On that count, the informant lodged the report at police station Vadner Khakurdi on 22.11.2025. The police station officer, Vadner Khakurdi registered crime No.513/2025 for the offence punishable under Section 108, 85, 115(2), 352, 351(2), 351(3), read with section 3(5) of the Bharatiya Nyay Sanhita, 2023 against present applicant and other accused No.1.”

4. It is submission of Mr. Jadhav, learned Counsel for the Applicant that the Applicant is not involved in the crime. In any case, he states that the Applicant is a woman and the Charge-sheet is already filed. There are no antecedents.

5. On the other hand, Ms. Mulekar, learned APP strongly opposes the Application. She submits that the Applicant is involved in the crime and therefore the Anticipatory Bail Application be rejected.

6. Perusal of record shows that the Charge-sheet is already filed and the Applicant is a woman.

7. Accordingly, in the fact and circumstances, the case is made out for grant of anticipatory bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant - Rekha Dattu Mahanubhav be released on bail in C.R. No.513 of 2025 registered with Vadner Khakurdi Police Station, Nashik Rural Police Station, on executing P.R. bond of Rs.25,000/- and furnishing one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station as and when called by the Police and shall co-operate with the investigation.
- (iii) The Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (iv) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person

acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

- (v) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

8. The Anticipatory Bail Application is allowed and disposed of accordingly.

(MADHAV J. JAMDAR, J.)