



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 45 OF 2026

Laxmi Santosh Hande Vs. State of Maharashtra and one.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. C.R.Thakur a/w L.B.Khergade, Advocate for the
Appellant.
Ms.Sneha Dhote APP for the State.
Ms.Radha Mishra Advocate appointed for the
Respondent No.2.

CORAM : NEERAJ P. DHOTE, J.

DATE : 25/02/2026

1) Heard the learned Advocate appearing for the
Appellant, the learned APP for the state and learned
Advocate appearing for the Respondent No.2.

2) This is an Appeal under Section 14-A of the
Scheduled Caste and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (for short SC and ST Act.) against the
order dated 27.01.2025 passed below Exh.3 by the learned
Additional Sessions Judge-12 and Special Judge, Scheduled
Caste and Scheduled Tribes (Prevention of Atrocities), Act,
Nagpur in Special Cases No.837 of 2024, rejecting the
application for regular bail.

- 3) The prosecution's case as stated in the impugned order of the learned Trial Court is reproduced below:-

F.I.R. dated 07-09-2024 discloses that, deceased Priya Bagde, a spinster lady, was residing alone. She went missing, therefore informant i.e. her younger sister filed a missing report with police station. The police took the search of the house of deceased wherein they found some medical documents, from which it discloses that deceased was pregnant and the pregnancy was aborted. It further discloses that accused Mahesh Wadaskar gave the consent for the said abortion. The neighbours of the deceased also disclosed that the accused used to come to the house of deceased frequently. The informant had also received a message of deceased Priya on 24-7-2024 on her mobile that the accused No.1 Mahesh is harassing and threatening to kill her and she is fed up with him, so she decided to commit suicide. Informant reported the said incident to the police on 7-9-2024 and accordingly, Crime No.397/2024 for offence u/s 140(1) of BNS is came to be registered against accused.

4) Heard the learned Advocate for the Appellant, the learned APP for the State and the learned Advocate for the Respondent No.2 Victim. With their assistance perused the papers.

5) The role attributed to the Appellant is that she assisted the accused No.1 in causing disappearance of evidence of offence. The observations in the impugned order by the learned Sessions Court that, the deceased was buried by the accused persons though she was alive is based on the disclosure statement of the accused No.1, which would not be admissible in evidence. Considering the role attributed to the Appellant and that she is a lady and behind bars for a period of one and half years she can be released on bail by imposing appropriate conditions. Hence, the following order.

ORDER

- i) Criminal Appeal is allowed.
- ii) The Appellant Laxmi Santosh Hande be released on bail in connection with Crime No.397/2024, registered with police station Mankapur, Nagpur for the offences punishable under Sections 140(1), 103(1), 238(a), 3(5) of the BNS and under Section 3(2)(v) of S.C. & S.T. Act on furnishing PR. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.

- iii) Bail before the Trial Court.
- iv) The Appellant shall not tamper with the prosecution evidence in any manner.
- v) The Appellant shall co-operate in the early disposal of the trial.
- vi) Fees of the learned appointed Advocate for Respondent No.2 is quantified at Rs.7500/- (rupees seven thousand and five hundred only). The same be paid accordingly by the High Court Legal Services Authority.
- vii) The Appeal stands disposed of in the above terms.

JUDGE