



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

CRIMINAL APPLICATION NO. 1149 of 2026 AND
CRIMINAL APPLICATION NO.318 OF 2026

Shobha Bhavlal Kavahle

..vs..

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for the applicant.
Shri A.R. Chutke, APP for the State.
Shri Tejas Deshpande, Advocate-assist to prosecution.

CORAM: M.M. NERLIKAR, J.
DATE : 02.04.2026.

Heard.

2. For the reasons stated in the application, the application for assisting the prosecution is hereby allowed and disposed of.

3. By way of this application, the applicant is seeking bail in connection with Crime No.89 of 2025 registered with Sakharkherda Police Station, District Buldana for the offence punishable under Sections 103(1), 118(1), 115(2), 296, 351(2), 49, 125(B), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

4. The First Information Report came to be lodged by the son of the deceased alleging that on 18.03.2025 at about 9.30 a.m. when he and his father were sitting outside their house one Ramdas Khillare threw a stone at the informant uttering foul words and abused them in filthy language. Further, the applicant brought iron road and axe from her house and gave it to other co-accused for attacking the father of the informant. One of the co-

accused allegedly hit on the hand of the informant and when the informant tried to intervene to save his father the informant was also assaulted. The injured father of the informant died during treatment i.e. after 5 days of the incident on 23.03.2025.

5. Learned Counsel for the applicant submits that initially first incident occurred on 16.03.2025 when the applicant and her paramour were doing some indecent activity on the road to which family of the informant objected and there was quarrel between them. In the backdrop of the aforesaid quarrel, the alleged incident has occurred. It is submitted that in the entire incident the applicant was not the main assailant. The only allegation against the applicant is that she has provided weapons to other co-accused in order to assault the informant and his father. As there is no active role attributed to the applicant and the applicant being a lady, she may be enlarged on bail.

6. On the other hand, learned APP and learned Counsel for assisting the prosecution vehemently opposed the application on the ground that only on the instigation of the applicant, the alleged incident took place in which the informant had lost his father. It is also submitted that the applicant and her paramour were doing obscene activities on road i.e. at the public place to which family members of the informant had taken objection and therefore, keeping a grudge in mind, the paramour and the applicant have assaulted the father of the informant. The role of the applicant cannot be separated as the applicant is the main person who

provided weapons to other co-accused persons for assaulting informant and his father. There are also serious injuries on the person of the informant and his father died due to the said assault. Therefore, the applicant does not deserves bail.

7. I have considered the rival submissions and perused the record. It appears that the applicant has not played any active role in the entire episode. No role of assault is attributed to the applicant. Considering the fact that the applicant is a lady and she is in jail since 24.03.2025 and as the investigation is complete, charge-sheet is filed, I am inclined to enlarge the applicant on bail on certain terms and conditions. Hence the following order :

- (a) The application is allowed.
- (b) The applicant Shobha Bhavlal Kavahle in connection with Crime No.89 of 2025 registered with Sakharkherda Police Station, District Buldana be released on bail on furnishing P.R. bond of Rs.50,000/- with one surety in the like amount.
- (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (d) The applicant shall not enter into the vicinity of village Goregaon, Tq. Sindkhedraja, District Buldana.

- (e) The applicant shall provide her residential address and cell number to Police Station concerned and shall not change her place of residence without prior intimation to the Investigating Agency.
 - (f) The applicant shall not commit any similar type of offence.
 - (g) The applicant shall attend each and every date of trial regularly. If she fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, her default would entail the State to ask for cancellation of bail.
8. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .
9. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)