

**(CNR Number:MHSN040002032026)**

**Order passed below Exh.1 in Cri.Bail Application No.28/2026**

**(Manisha Prakash Nikam/Gund vs. The State of Maharashtra)**

This is an application filed by the applicant/accused under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of bail in C.R. No.30/2026 of Kasegaon police station for the offences punishable under Sections 118(2), 118(1), 115(2), 189(2), 191(2)(3), 190, 352, 351(1)(2), 324(2) of the B.N.S.S. The say of I.O. and learned APP has been called and the same has been filed by them below Exh.7.

2. Perused the application and say. Heard respective advocates at length.

3. In the application it is submitted that accused/applicant is woman having three children having age of 15, 13 and 11 years respectively. There is no one present in the house to look after them as along with applicant, her family members who are the co-accused in this crime are in judicial custody. The interim bail application is moved on the ground that the elder daughter of applicant is studying in Xth Std. and presently her board examination is going on. Other children are also facing respective examinations as it is a specific period of conducting school examinations. The applicant have no criminal antecedents. Her entire family is in jail and there is no one to take care of the children during the crucial period of their examinations. Along with said ground, it is stated that the F.I.R. does not show any specific role played by applicant in present crime. The main accusation is against her husband and brother in law. The involvement of applicant in the crime is of such trifle nature that grant of any custody and detention is not

justified. The accused with co-accused are taken in M.C.R. on dtd. 05.03.2026 and on the same day ld. Trial Court rejected bail application of all three accused persons without considering the merits of the case and the smallest involvement of applicant in the commission of offence. Hence considering said aspect the applicant may be released on bail. To substantiate the arguments so advanced, ld. advocate for applicant has put-forth the Board Admission Card of daughter of applicant. It transpires that Board examination is going on and it will end on 18<sup>th</sup> March, 2026.

4. Learned advocate for accused submitted that accused is innocent. No offence is committed by her. Investigation is already completed. As such the custody of accused is no more required for prosecution. It is further submitted that nothing incriminating has been recovered at the instance of present applicant. She will not hamper or tamper with prosecution evidence. Hence she may be released on bail.

5. Learned APP has opposed the bail application on the ground that, offence is of serious nature. There is strong prima-facie evidence against applicant/accused. There is every possibility of threatening of prosecution witnesses and tempering with the prosecution evidence. The accused will abscond, if released on bail. Further it is submitted that accused and informant are close relatives of each other. They are neighbours also. There is history of quarrel and strained relations in between accused and informant. If accused is released on bail, there is every possibility of repetition of like incident. Hence, prosecution prayed for rejection of application.

6. I have gone through the available record produced by prosecution as well as ld. advocate for accused. The evidence in R.C.C. No.572/2020 produced by ld. advocate for accused clearly shows that accused Manisha Nikam was the witness in one case proceeded against one of the accused who is informant in this matter. The other record also shows that the relations between accused and informant are already strained and the occurrence of incident might be the outcome of said strained relations. However, there is no evidence on record to show that accused are going to take law in their hand or there is reasonable apprehension of repetition of like incident in future. The criminal antecedents of accused are not produced on record.

7. Further more it is apparent from record that accused has been taken into M.C.R. on dtd. 05.03.2026. It is now one month period which is over after occurrence of incident. The investigation machinery has definitely availed sufficient time to complete the investigation. On perusal of reply of investigation officer, it transpires that on dtd. 10.03.2026, the informant was still hospitalized. However, the nature of injury sustained by him has not been explained in the reply. At the time of arguments, it is nowhere pointed out as to whether informant is still hospitalized or not. Per contra, it reveals that the informant himself appeared and filed his affidavit below Exh.9 opposing application for grant of bail. In his affidavit he reiterated the contents of F.I.R. He produced photographs and affidavit showing injury on his left thigh, left hand as well as on his head. There is no supporting documentary evidence to show the nature of injuries sustained by him. Except the offence under Section 118 of B.N.S., other

offences are of bailable nature. The record further shows that investigation officer failed to submit the progress of investigation and what investigation is remaining for which accused shall remain behind bar.

8. At the other hand, it is evident from record that accused is resident of Bhatavade, Tq.Walva. No criminal antecedent against her has been produced. Accused is ready to co-operate with the investigation. The possibility of tampering or abscondence is not apparent from record and the same can be tackled by way of imposing certain conditions.

9. Hence, considering above discussion, I hold that, applicant/accused is entitled for grant of bail. Hence, following order is passed.

**ORDER**

1.	Application is allowed.
2.	Interim bail is confirmed with following conditions-
i)	The accused shall attend concerned police station every alternate day from the date of this order in between 11.00 a.m. to 1.00 p.m., till filing of charge-sheet.
ii)	The accused is further directed not to communicate the informant by any mode of communication till completion of trial.
iii)	The accused is further directed not to involve in like incidents in future.

3.	Bail before Ld. Trial Court/ Remand Court.
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Date: 01/04/2026.

(A. H. Kashikar)  
Additional Sessions Judge,  
Islampur.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file are same, word to word, as per original order.

Name of the Stenographer : S.W.Pathan, Steno, (Grade-I)  
Court Name : Adhoc District Judge – 1 & Addl.  
Sessions Judge, Islampur.  
Date : 01.04.2026  
Signed by P.O. on : 02.04.2026  
Uploaded on : 02.04.2026