

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 593 OF 2015

Dhulsing S/o Bhaulal Kahite
Age : 61 years, Occu.: Agri.,
R/o : Lalwadi, Tq. Dist. Aurangabad .. Applicant

VERSUS

The State of Maharashtra .. Respondent

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Mr. Vijay Sharma, Advocate for the applicant
Mr. S.G. Sangle, A.P.P. for the respondent-State

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CORAM : M.T. JOSHI, J.

DATED : 16/02/2015

ORAL ORDER :

1. Heard both sides.
2. The present applicant, who is arrested by Karmad Police Station, Dist. Aurangabad in Crime no. I-147 of 2013 for the offences punishable under section 302 r/w. 34 of the Indian Penal Code, is praying for his release on bail.

3. The applicant is the father of the deceased-daughter. It appears that she was estranged by her husband and, therefore, was residing with the present applicant and his other family members and his wife. In the night of the incident, the deceased went missing and on the next day, her dead body was found with 22 injuries on her person, out of those several were multiple abrasions over all the body. Statements of the witnesses recorded under section 164 of the Code of Criminal Procedure would show that in the preceding evening, there was a quarrel between the deceased and her mother over a domestic issue. Thereafter, the deceased went away for cutting of grass in the field. According to one witness, the present applicant alongwith his son was also seen going away after her. In the night, however, sounds of weeping were heard from the house of the present applicant. On the next day, the dead body of the deceased was found. In the circumstances, attributing the motive

that the applicant and his son wanted to do away with the deceased, as they did not want to maintain her, over the previous quarrel, they had caused her death.

4. Upon hearing both sides and finding that the present applicant is above 60 years old, the case is based on circumstantial evidence and the trial may take its own time, in my view, the applicant can be released on bail.

5. Hence, the following order:-

I) The Application is allowed.

II) The applicant be released on bail in Crime no. I-147 of 2013 registered with Karmad Police Station, Dist. Aurangabad for the offences punishable under section 302 r/w. 34 of the Indian Penal Code, upon his executing P.R. bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount.

III) The applicant shall not in any way attempt to influence the prosecution witnesses in any manner.

6. Criminal Application accordingly stands disposed of.

Sd/-
[M.T. JOSHI]
JUDGE

arp/-