

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.701 of 2015

Raju Bhaulal Ghunawat (Rajput). .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. Laxman K. Pradhan, Advocate, for applicant.
Shri. R.P. Phatke, Additional Public Prosecutor, for
respondent.

CORAM: T.V. NALAWADE, J.

DATE : 25th FEBRUARY 2015

ORDER:

1) The application is filed for relief of bail. Both the sides are heard. This Court has perused the papers of investigation. Statement is made by the learned counsel for the applicant that this is the first application filed in this Court for the relief of bail.

2) Crime is registered on the basis of report given by the father of the deceased. The deceased was given in marriage to applicant in the year 1995. She gave birth to three daughters from the applicant and the elder daughter was aged about 15 years at the relevant time. Allegations

are made that the applicant was consuming liquor and he used to harass the deceased. He used to give her beating. Allegations are made that the applicant used to ask the deceased to bring Rs. two lakhs for construction and to bring Rs.70,000/- for purchasing auto rickshaw from her parents and on that count there was ill-treatment to the deceased. Specific incident dated 5-6-2014 is mentioned and it is contended that to compel the deceased to bring the amount she was driven out of her matrimonial house by the applicant. It is contended that the deceased was somehow sent back to the matrimonial house and the applicant was convinced. The incident in question took place on 6-6-2014 in the noon in the material house. The deceased sustained burn injuries and the applicant admitted her in Government hospital. She succumbed to the injuries. After her death report came to be given on 7-6-2014. Charge-sheet is filed for offences punishable under sections 306, 498-A, 504 of the Indian Penal Code.

3) The learned Additional Public Prosecutor submitted that the elder daughter gave statement that there was severe ill-treatment and beating to the

deceased on 5-6-2014 and the deceased was left at the place of her grand parents. The grand parents tried to convince the applicant. However, there is no such record.

4) The submissions made show that the applicant is behind the bars since 7-6-2014. In view of nature of allegations and the fact that the marriage had taken place the year 1995 and the case is filed for abetment of suicide, this Court holds that it is not desirable to keep the applicant behind the bars till disposal of the case.

5) In the result, the application is allowed. The applicant is to be released on bail in Crime No.I-85/2014 registered at Vaijapur Police Station, District Aurangabad for offences punishable under sections 498-A, 306, 504 of the Indian Penal Code on his furnishing PB and SB of Rs.15,000/-. The applicant is not to tamper with prosecution witnesses. He is not to commit similar offences.

Sd/-
(T.V. NALAWADE, J.)

rs1