

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

Criminal Application No.864 of 2015

Gangadhar S/o Ramdas Dhage. .. **Applicant.**

Versus

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

Shri. S.S. Thombre, Advocate, for applicant.

Shri. M.M. Nerlikar, Additional Public Prosecutor, for
respondent.

CORAM: T.V. NALAWADE, J.

DATE : 3rd MARCH 2015

ORDER:

1) The application is filed for bail. Both the sides are heard. This Court has perused the papers of investigation.

2) Crime is registered on the basis of report given by Smt. Ushabai, wife of the applicant. They married about 14 years prior to the date of the incident. She has made allegations that the applicant, husband, was giving ill-treatment of all kinds. She was cohabiting with the applicant till the date of the incident.

3) The incident in question took place on 23-1-2015. On that day the applicant and his parents started quarrel with the complainant by saying that she needs to bring Rs.20,000/- from her parents and they wanted to purchase vehicle, tempo. Allegations are made that the husband and his relatives assaulted her at that time. The complainant came out of the house and stopped at some distance from her house. The applicant went to her and he said her that it would be better if they to sit together and by saying so he took her to a well and then he forcibly pushed her in the well. It is her case that the applicant was saying that he is going to finish her and by saying so he virtually threw her into well. According to her she started shouting and then people had gathered there and she was taken out of the well.

4) This Court has gone though the statements given by the witnesses who took her out of the well and the spot panchanama of the well showing the depth of the well. There was no sufficient water in the well and there was mud.

5) The submissions made show that the applicant is behind the bars since 25-1-2015. Learned counsel for the applicant submitted that at present the complainant is living in different village with her mother. In view of the material collected as against the applicant and the fact that it is not certain as to when the case will be disposed this Court holds that it is not desirable to keep the applicant behind the bars till disposal of the case.

6) In the result, the application is allowed. The applicant is to be released on bail in Crime No.I-17/2015 registered in Supa Police Station, District Ahmednagar, for offences punishable under sections 307, 498-A, 34 etc of the Indian Penal Code on his furnishing PB and SB of Rs.15,000/-. The applicant is not to tamper with the prosecution witnesses. He is not commit similar offences. He is not to enter the village of the complainant till disposal of the case.

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

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