

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1212 OF 2015**[Dinkar s/o Bhimrao Malusare Vs The State of Maharashtra]**

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

Court's or Judge's orders

Shri S.S.Shinde, advocate for applicant
Shri A.S.Shinde, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 24th March, 2015

PER COURT :-

- 1] The applicant is seeking his enlargement on bail, in connection with Crime No.150 of 2014, registered at Bhokardan Police Station, for the offences punishable under Sections 306, 498-A, 494, 34 of the Indian Penal Code.
- 2] Heard learned counsel for the applicant and the learned Additional Public Prosecutor for the respondent/State.
- 3] The investigating agency has already completed its entire investigation and charge sheet is also filed. All the co-accused are already released on bail.
- 4] The deceased is one Rukhmanbai. Her marriage with the applicant was performed in the year 2003. Rukhmanbai committed suicide on 10.12.2014 by consuming poison. The first information report is lodged by Ganesh the father of the deceased on 15.12.2014. Thus, there is a delay of 5 days in lodging the first information report. Of course, the first informant will get the opportunity to explain the delay during the course of the trial.
- 5] The allegations made in the first information report are

general in nature. It has been stated that the present applicant has performed the marriage during the subsistence of marriage with Rukhmanbai, however, the said marriage occurred even prior to 2 years of performance of marriage. Hence, there is no purpose in keeping the person behind the bars. In that view of the matter I pass following order.

ORDER

- (i) Application is allowed.
- (ii) The applicant be released on bail on his executing P.R.bond of Rs.15000/- with two solvent surety in the like amount.
- (iii) Bail before the trial court.
- (iv) The observations made in this order are prima facie in nature and are restricted to this application only and the learned Judge of the court below shall not get influenced himself by the said observations while deciding the matter on merits.
- (v) Application is disposed of accordingly.

(V.M.DESHPANDE, J.)

dbm/crap1212.15