

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

CRIMINAL APPLICATION NO. 1356 OF 2015

Vandanabai W/o Ashok Devnale

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. Pankaj Bharad h/f Mr. U.L.Momale,
Advocate for Applicant.

Mr. U.H.Bhogale, A.P.P. for Respondent - State.

.....

CORAM : V.M.DESHPANDE, J.

DATE : 7th APRIL, 2015

.....

PER COURT :

1. This is an application filed by the applicant to release her on bail in connection with Crime No. 19/2015 registered with police station Udgir [City], Tq. Udgir, Dist. Latur for the offences punishable u/s 307, 498-A, 323, 504 read with 34 of the Indian Penal Code.

2. Heard Mr. Pankaj Bharad holding for Mr.

U.L.Momale, learned Counsel for the applicant and Mr. U.H.Bhogale, learned A.P.P. for the respondent – State.

3. The marriage between co-accused Avinash and first informant took place about eight years ago. Husband Avinash is working in Armed forces. The present applicant is mother-in-law of the first informant. According to the F.I.R., since the electricity bills were not paid, the electricity connection was dis-continued by the supply Company. Therefore, on 13/02/2015 at 19.30 hrs., two lalten were there in the house. At that time, dispute arose between the first informant and her husband Avinash. In the said dispute, Avinash has given bashing to the first informant. F.I.R. shows that, at that time, the applicant came there and instigated her son Avinash. F.I.R. further states that there after both the applicant and her son Avinash poured kerosene from the said lalten and set the first informant ablaze. First informant was taken to the hospital. Injury certificate shows that she suffered 15 % burn injuries.

4. Though charge sheet is not filed, the entire investigation is on the verge of completion and the formality of filing of charge sheet is to be completed.

5. Looking to the nature of injuries, it is clear that the offences will not be converted into more graver. F.I.R. and other material clearly show that the allegation against the present applicant are general in nature. Further, the applicant is aged lady. Her custodial presence, therefore, is

not warranted.

6. Hence, I pass the following order :

(i) The present Criminal Application is hereby allowed.

(ii) Applicant Vandanabai W/o Ashok Devnale be released on bail in connection with Crime No. 19/2015 registered with police station Udgir [City], Tq. Udgir, Dist. Latur for the offences punishable u/s 307, 498-A, 323, 504 read with 34 of the Indian Penal Code on she executing P.R.Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount. Bail before the trial Court.

(iii) With these observations, the present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]