

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

CRIMINAL APPLICATION NO. 2457 OF 2015

Karuna Badod Bhosale

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

**WITH
CRIMINAL APPLICATION NO. 2458 OF 2015**

Bhagirath Badod Bhosale

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. K.B.Autade h/f Mr. S.B.Kadu,
Advocate for Applicants.

Mr. A.S.Shinde, A.P.P. for Resp.– State.

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CORAM : V.M.DESHPANDE, J.

DATE : 10th JUNE, 2015

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PER COURT :

1. These two applications for regular bail arises out of Crime No. 246/2014 registered with Kopargaon [City] police station, Dist. Ahmadnagar for the offences punishable u/s 302,354(A)(B),143,147,148,149,323,504,506 of the Indian Penal Code.

2. Heard Mr. K.B.Autade holding for Mr. S.B.Kadu, learned counsel for the applicants and Mr. A.S.Shinde, learned A.P.P. for respondent – State.

3. Investigating agency has already filed Charge sheet after the completion of investigation. Applicants are arrested on 28/09/2014 and 25/02/2015.

4. F.I.R. is lodged by Laxmibai, who is mother of deceased Sayali. Sayali was only aged about 4 years. The allegation that Sayali was thrown on the floor, due to which she died, is against the husband of the first informant herself. From the F.I.R., it is clear that the dispute was going-on between the accused persons and Bhagwat, husband of the first informant, who is also one of the accused in the present crime. From the F.I.R. and from the other material available in the charge sheet, it is clear that there is no direct evidence against the applicant causing death of Sayali. The role of applicant Karuna and applicant Bhagirath is of instigation to kill Bhagwat and not to kill Sayali. According to F.I.R., so far as applicant Bhagirath is concerned, he has outraged the modesty of the first informant.

5. Further accused Changdev and accused Bharam are released on bail on 14/01/2015 and 19/11/2014 by this Court. From the perusal of the order passed by this Court, it reveals that the role attributed to Changdeo was that he has given blow to deceased Sayali.

6. In that view of the matter, present applicants are required to be released on bail.

7. Hence, I pass the following order.

(i) Present Criminal Applications are hereby allowed.

(ii) Applicant Karuna Badod Bhosale and applicant Bhagirath Badod Bhosale be released on bail on they executing P.R. Bond of Rs. 10,000/- [Rupees Ten Thousand] with one solvent surety of like amount by each of them in connection with Crime No. 246/2014 registered with Kopargaon [City] police station, Dist. Ahmadnagar for the offences punishable u/s 302,354(A)(B),143,147,148,149,323,504,506 of the Indian Penal Code. Bail before the trial Court.

(iii) Present Criminal Applications are disposed of.

[V.M.DESHPANDE, J.]