

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 3284 OF 2015.

DINESH TEPYA PAWARA.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Prakashsing B. Patil, Advocate for the Applicant.

Mr. V.H. Dighe, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 15th July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.293/2014 registered with Police Station, Shirpur, District - Dhule for the offences punishable under Section/s. 306, 376, 363, 366, 498(A) read with 34 of the Indian Penal Code.

[2] Heard Mr. Prakashsing B. Patil, learned counsel for the Applicant and Mr. V.H. Dighe, learned Additional Public Prosecutor for the State of Maharashtra.

[3] First Information Report is lodged by Kalu Hulya Pawara, who is the father of deceased Manisha. First Information Report is lodged on 25th December, 2014. According to the First Information

Report on 1st September, 2011 Manisha was taken away by the co-accused Pawan Daya Pawara from the house of his co-brother Ratilal on the pretext of marriage. She stayed there for some time. First Information Report further states that, from there, Manisha was taken away by other accused Nana Budha Pawara on the same pretext that he will marry with her. First Information Report further proceeds that, from the possession of Nana Pawara, present Applicant – Dinesh has taken away the Manisha.

[4] According to the First Information Report, after four months, First Informant has received telephonic call from Manisha. Through the said telephone, it was revealed that Manisha has performed marriage with the present Applicant.

[5] According to the First Information Report, First Informant has received the intimation from Hukarya Sayaba Pawara that Manisha died due to poisoning.

[6] Investigation is over. Charge-Sheet is already filed. Other co-accused are already released on bail by the learned Trial Court. Role attributed to them and role attributed to the present Applicant are same. Further in the entire charge sheet, there are no instances, which can be termed as “instigation” on the part of the present Applicant to deceased – Manisha to commit the suicide. Therefore, present Application needs favourable consideration. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant - DINESH TEPYA PAWARA shall be released on regular bail on he executing P.R. Bond of Rs. 5,000/- [Rs. Five Thousand.] with one solvent surety in the like amount, in connection with CR No.293/2014 registered with Police Station, Shirpur, District - Dhule for the offences punishable under Section/s. 306, 376, 363, 366, 498(A) read with 34 of the Indian Penal Code.
- (iii) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)