

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

**CRIMINAL APPLICATION NO. 3306 OF 2015.**

**SUMAN BALASAHEB RASKAR & ORS.  
VERSUS  
THE STATE OF MAHARASHTRA.**

**Appearance      =>**

Mr. Niteen V. Gaware, Advocate for the Applicants.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

**CORAM      :      V.M. Deshpande, J.**

**DATE          :      15<sup>th</sup> July, 2015.**

**Per Court :-**

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.I 108/2015 registered with Taluka Police Station, Ahmednagar, Taluka & District – Ahmednagar for the offences punishable under Section/s 392 read with 34 of the Indian Penal Code.

[2]          Heard Mr. Niteen V. Gaware, learned counsel for the Applicants and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State.

[3]          Applicant No.1 – Suman is the mother of Applicant No.2 – Prasad. First Information Report is lodged by Rambabu Jamnaprasad Shukl, driver of the truck, who was robbed by the present Applicants

and husband of Applicant No.1, is the allegations made in the First Information Report.

[4] In the First Information Report, role attributed against Suman is that she has caught hold the hands of first informant, in the dead hours of the night on 4<sup>th</sup> June, 2015. Applicant No.1 – Suman is arrested on 4<sup>th</sup> June, 2015 and since then she is in jail.

[5] Investigation papers shows that, she was in police custody remand and nothing is recovered at her instance. In that view of the matter, further custodial presence of Applicant No.1 – Suman is not necessary. Further looking to her womanhood and in view of the nature of accusations made against her, discretion can be exercised in her favour.

[6] In so far as Applicant No.2 – Prasad is concerned, Mr. Niteen V. Gaware, learned counsel upon instruction from his client seeks permission to withdraw the present Application with liberty to the Applicant No.2 to move bail application, afresh, before the trial court, after filing of the charge. Permission is granted. Hence, I pass the following order :-

### **ORDER**

(i) Criminal Application is partly allowed.

(ii) Applicant No.1 – Suman Balasaheb Raskar shall be released on regular bail on she executing PR. Bond of Rs. 35,000/- [Rs. Thirty Five Thousand.] with two solvent sureties in the like amount, in connection with CR No.I

108/2015 registered with Taluka Police Station, Ahmednagar, Taluka & District – Ahmednagar for the offences punishable under Section/s 392 read with 34 of the Indian Penal Code.

(iii) Bail before trial court.

(iv) Criminal Application filed on behalf of Applicant No.2 – Prasad Balasaheb Raskar is dismissed as withdrawn. Liberty is given to Applicant No.2 – Prasad Balasaheb Raskar to move bail application, afresh, before the trial court, after filing of the charge.

(v) With this Criminal Application is partly allowed and same is disposed of, accordingly.

**(V.M. DESHPANDE, J.)**