

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

CRIMINAL APPLICATION NO. 3790 OF 2015.

MURHARI S/O PANDURANG KANDHARE & OTHERS.

VERSUS

THE STATE OF MAHARASHTRA.

Appearance =>

Mr. R.M. Giri, Advocate for the Applicants.

Mrs. S.G. Chincholkar, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 3rd August, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of anticipatory bail, since they are apprehending their arrest in connection with CR No.45/2015 registered with Police Station, Aundha Nagnath, District – Hingoli for the offences punishable under Section/s 306, 498(A), read with 34 of the Indian Penal Code.

[2] Heard Mr. R.M. Giri, learned counsel for the Applicants and Mrs. S.G. Chincholkar, learned Additional Public Prosecutor for the Respondent - State of Maharashtra.

[3] Deceased is one Sunita. She is daughter of the first informant. Her marriage took place about 8 years ago with Manohar Datta Kalsure. Manohar is real brother of Applicant No.2 – Bharati. Applicant No.1 Murhari is the husband of Applicant No.2 Bharati.

[4] First Information Report clearly discloses the demand of money at the hands of Manohar and ill treatment at the hands of Manohar. First Information Report discloses role of the present Applicants as “instigation” to Manohar to give the ill treatment to his wife. Except this there are no allegations against the present Applicants. Applicants are resident of Kautha, Taluka – Kandhar, District – Nanded where-as deceased alongwith her husband used to reside at different place. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) In the event of arrest, Applicant No.1 - MURHARI S/O PANDURANG KANDHARE and Applicant No.2 – BHARTI MURHARI KANDHARE shall be released on anticipatory bail on they executing P.R. Bond of Rs. 5,000/- [Rs. Five Thousand.] each with one solvent surety in the like amount, in connection with CR No.45/2015 registered with Police Station, Aundha Nagnath, District – Hingoli for the offences punishable under Section/s 306, 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.)