

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

CRIMINAL APPLICATION NO. 3934 OF 2015.

LATA W/O DILIP JEJURKAR.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Nitin B. Suryawanshi, Advocate for the Applicant.

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

CORAM : V.M. Deshpande, J.

DATE : 10th August, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.I 9/2015 registered with Police Station, Kopergaon, District - Ahmednagar for the offences punishable under Section/s 302, 201, 109 read with 34 of the Indian Penal Code.

[2] Heard Mr. Nitin B. Suryawanshi, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State of Maharashtra, in extenso.

[3] The investigating agency has already completed the entire investigation and filed the charge sheet in the court of law. Kacharu Bhaurao Jejurkar, who is father of deceased – Deelip has lodged First

Information Report. In the First Information Report suspicion is raised against the present Applicant that she is having extra marital relations with co-accused Yuvraj @ Namdeo Khumbharde and for that deceased is eliminated.

[4] Admittedly, entire case against the present Applicant is based on the statement of Amina Fakirmohammad and Nazira Nisar Shaikh to show that there were some relations between the present Applicant and the co-accused Yuvraj. Except this, there is no other incriminating circumstances.

Even in the statement of Shubhangi, who is daughter of deceased, does not disclose that the reason for dispute between the present Applicant and deceased was due to extra marital relation between the present Applicant and co-accused Yuvraj. Nothing is recovered at the instance of present Applicant during the course of her Police Custody Remand.

[5] In view of the fact that charge sheet is already filed and there is no direct or indirect evidence what so ever against the present Applicant, at least, prima facie, in my view, further custodial presence of the present Applicant is not warranted. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant - LATA W/O DILIP JEJURKAR shall be released on regular bail on she executing PR. Bond of Rs.

10,000/- [Rs. Ten Thousand.] with one solvent surety in the like amount, in connection with CR No.I 9/2015 registered with Police Station, Kopargaon, District - Ahmednagar for the offences punishable under Section/s 302, 201, 109 read with 34 of the Indian Penal Code.

(iii) Bail before trial court.

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

(V.M. DESHPANDE, J.)