

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

CRIMINAL APPLICATION NO.4122 OF 2015

Nivrutti s/o Ramrao Nikam,
Age 30 years, Occu.Agril.,
R/o Chikatgaon, Taluka
Vaijapur, District Aurangabad

..Applicant

Versus

The State of Maharashtra,
through the Police Inspector,
Shivoor Police Station,
Taluka Vaijapur,
District Aurangabad

..Respondent

Mr R.R. Karpe, Advocate for applicant
Mrs B.B. Gunjal, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 19th August 2015

PER COURT

Heard.

2. The applicant-accused is facing trial for the offence punishable under Sections 498-A, 304 Part B, 306, 323, 504 read with Section 34 of the Indian Penal Code.

3. The father and mother of the applicant were already released on regular and pre-arrest bail, respectively. The applicant was arrested on 24th April 2015 and a charge-sheet against him is filed.

4. Perusal of the investigation papers/charge-sheet reflects that there was demand by the present applicant and the other accused persons from the deceased, who happened to be his wife.

5. Even if the allegations of demand are there, still in my opinion, it will be inappropriate to believe that prima facie case against the accused for the offence punishable under Sections 306, 304 Part B is available.

6. As the charge-sheet is already filed and other two accused are already released on bail, in the fitness of the things, it will be appropriate to release the applicant on bail, on following terms:

(i) The applicant shall be released on bail, upon furnishing P.R. Bond of Rs.25,000/- (Rs.Twenty-five thousand) with one surety in the like amount;

(ii) The applicant shall not enter the jurisdiction of Taluka Vaijapur.

7. Criminal Application allowed in above terms.

(N.W. SAMBRE, J.)

vvr