

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

Criminal Application No.6897 of 2014

Sunita w/o Mangal Patil.

.. Applicant.

Versus

The State of Maharashtra.

.. Respondent.

Shri. Kishore C. Sant, Advocate, for applicant.

Shri. M.M. Nerlikar, Additional Public Prosecutor, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 21st JANUARY 2015

ORDER:

1) The application is filed for the relief of bail. Both sides are heard. This Court has perused the papers of investigation.

2) Crime is registered on the basis of report given by Mohan Patil. Deceased Mangal was brother of the complainant and present applicant is widow of Mangal. Allegations are made that present applicant had illicit

relations with accused No.1, Samadhan Patil and due to that there used to be quarrel between the applicant and the deceased. Allegations are made that on 4-2-2014 the deceased was not seen and so inquiry was made by his brother. Information was supplied that Mangal had attended one marriage and after that he was not seen. There are statements of witnesses to the effect that Samadhan had taken Mangal with him and thus there is material on last seen. Mangal was murdered by strangulation and also by causing other injuries and the death took place due to neurogenic and haemorrhagic shock due to multiple crushing injuries to heart, lung, liver, spleen etc. Few ligature marks were seen around the neck. Ribs were found fractured. A show was created that he died in an accident.

3) There is material on motive, last seen etc. Further the applicant herself had informed to the complainant that deceased had gone with Samadhan Patil. There is voluminous record to show that Samadhan Patil was continuously in touch with the present applicant, widow of the deceased. The record shows that during the

period from 7-3-2013 to 4-2-2014 there were about 5598 calls between these two accused. On the day of the incident and at the relevant time they had talk with each other on 22 occasions. Such CDR record is available. Charge sheet is filed for offence punishable under section 120-B IPC also along with sections 302, 201 etc of the Indian Penal Code. Heinous crime is committed out of the aforesaid so called illicit relation.

4) In view of nature of material and the fact that previous application was withdrawn when this Court had expressed that the Court was not inclined to grant the relief, bail cannot be granted. No change in circumstance has been brought to the notice of this Court. The application is rejected.

Sd/-
(T.V. NALAWADE, J.)

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