

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.6672 OF 2013

IN

CRIMINAL APPEAL NO.810 OF 2014

Sow. Lata w/o Satyanarayan Bajaj,
Age-38 years, Occu:Household & Agril,
R/o-Lamjana, Tq-Ausa, Dist-Latur.

...APPLICANT

VERSUS

The State of Maharashtra,
Through Police Station Khillari,
Tq-Ausa, Dist-Latur.

...RESPONDENT

...

Mr. S.M. Pandit Advocate for Applicant.
Mr. D.V. Tele, A.P.P. for Respondent.

...

WITH

CRIMINAL APPLICATION NO.711 OF 2013

IN

CRIMINAL APPEAL NO.11 OF 2013

Sow. Lata w/o Satyanarayan Bajaj,
Age-39 years, R/o-Lamjana,
Tq-Ausa, Dist-Latur,
At present- Central Prison, Harsul
C-No.7447, Aurangabad

...APPLICANT

VERSUS

The State of Maharashtra,
Through Police Station Killari,
Tq-Ausa, Dist-Latur.

...RESPONDENT

...
Mr. Madhukar G. Kolse Patil, Advocate appointed
for Applicant.
Mr. D.V. Tele, A.P.P. for Respondent.
...

CORAM: A.I.S. CHEEMA, J.

DATE : 4TH FEBRUARY, 2015

ORDER :

1. Both these Applications for bail are filed
by the original accused Lata Satyanarayan Bajaj.

2. Learned counsel for the Applicant submits
that the Applicant-accused was falsely implicated
in the matter where allegation of attempt to
commit murder of her husband was made. The
incident is stated to be of the night of 11th
March 2011 - 12th March 2011. It is claimed that
at 3.00 a.m. of 12th March 2011 the incident
occurred. According to the counsel although in the

trial Court evidence was brought of the husband Satyanarayan and child witness Shubham, the son of the Applicant - accused, claiming that the accused had put stone in the head of her husband in order to kill him but the medical evidence supported the defence. According to him, the defence taken was that the victim Satyanarayan suffered injury in accidental fall in staircase. The counsel submitted that spot panchnama showed that there was blood on otta of staircase. He submitted that in the medical papers the relatives who had taken the victim to the hospital, had stated that the injury was due to fall from height. The counsel submits that there appears manipulation in the medical papers wherein subsequently another page mentioned, after over-writing, that there was history of assault. According to him, the Applicant is entitled to bail during pendency of the Appeal, which may take time.

3. Learned A.P.P. is opposing the

Application for bail.

4. The Applicant-accused was in custody even during the pendency of trial has been submitted at Bar. Although it is stated that the Doctor accepted that the injury was possible by fall from height, the alleged manipulation in medical papers was admittedly not put up to the Doctor. There appears no reason why even son of the Applicant-accused should speak against his own mother. I do not find, after going through the record, that this is a fit case where during pendency of the Appeal sentence of imprisonment should be suspended or bail should be granted. No case is made out.

5. For the reasons stated above, both the Applications are rejected.

[A. I. S. CHEEMA, J.]