

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 7100 OF 2014

Changdev s/o. Bharam Bhosale

....Applicant.

Versus

The State of Maharashtra & Anr.

....Respondents.

Mr. S.A. Gaikwad, Advocate for applicant.

Mr. N.B. Patil, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 14th January, 2015.

ORDER :

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

2. The crime is registered on the basis of report given by one Smt. Laxmi Bhosle. Deceased Sayali, aged about 4 years, was a daughter of Laxmi. Husband of Laxmi namely Bhagwat had married one more wife and with both wives he resides in separate houses. Bhagwat had some dispute with Ujwala with whom his cousin has married. Jalita is mother in law of Ujwala and she owed some amount to Bhagwat. Quarrel used to take place between these families. In one incident dated 22.8.2014, it is alleged that when the persons of two sides were quarreling with each other, present applicant gave kick blow to Sayali and

prior to that one Dagdu Badod Bhosle had hit a stone on the head of Sayali. Allegations are made that Bhagwat also took up Sayali and virtually threw her on floor of tiles. Sayali died due to these injuries. Chargesheet is filed against Bhagwat and 9 more persons including the present applicant for the offence punishable under section 302 r/w. 34 etc. of I.P.C.

3. A statement was made by the learned counsel for the applicant that this is the first application filed by the applicant in this Court.

4. This Court has gone through the P.M. report and injury certificate in respect of Laxmi. In view of the nature of allegations, this Court holds that it is not desirable to keep the present applicant behind bars till the disposal of the case. Sayali died due to head injury.

5. In the result, the application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs. 15,000/- (Rupees fifteen thousand). He is not to tamper with the prosecution witnesses. He is not to commit similar offence.

[T.V. NALAWADE, J.]

ssc/