

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

CRIMINAL APPLICATION NO. 6561 OF 2015

Yashodabai w/o Dattu Tidke
& Anr.

..... APPLICANTS

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. S.J.Salunke, Advocate for Applicants.

Mr. G.O.Wattamwar, A.P.P. for Resp. - State.

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CORAM : INDIRA K. JAIN, J.

DATE : 23rd DECEMBER, 2015

ORAL ORDER :-

. This is an application for regular bail in Crime No. 142/2015 registered at Dharur police station, district Beed for the offences punishable u/ss 302,498-A,201,120-B read with 34 of the Indian Penal Code.

2. Heard Mr. S.J.Salunke, learned counsel for applicants and Mr. G.O.Wattamwar, learned A.P.P. for

Respondent – State. Perused papers of investigation.

3. Babu Subhash Bade resident of Pimparwada, Taluka Dharur, district Beed is the first informant. He is brother of deceased Sulbha. On 25/10/2015 Babu lodged report alleging therein that after three years of marriage of Sulbha with Ramesh Dattu Tidke resident of Pimparwada, she was harassed by her husband, mother-in-law and other relatives on demand of ₹ 50,000/- for purchase of tractor. Applicant No. 1 is mother-in-law and applicant No. 2 is cousin sister-in-law of Sulbha.

4. On 24/10/2015 first informant received information that Sulbha died in a well. Complainant communicated about the same to other relatives. Police reached the spot. Inquest panchanama was drawn and dead body was sent for postmortem. In the night when complainant came to his house, he was informed by his brother-in-law Ramesh Tidke that he saw applicants and others abusing and assaulting Sulbha on the same day in the morning and during night they might have pushed her into the well. On receiving such information complainant set the criminal law in motion.

5. So far as applicant No. 2 is concerned there is no denial to the fact that she is resident of Waghbet, taluka Parli Vaijnath, district Beed and she was married before the marriage of Sulbha. From the statements of witnesses also it can be seen that she was not residing

with Sulbha and her family members.

6. Applicant No. 1 Yashodabai is 52 years old lady. There is no direct evidence. In F.I.R. itself it is stated that due to morning incident of assault applicants and others might have pushed Sulbha into the well. Case is based on circumstantial evidence. Investigation is almost complete.

7. In the light of the above and considering the nature of allegations in F.I.R., this court is inclined to allow the application. Hence, the following order.

ORDER

- (i) Criminal Application No. 6561 of 2015 is allowed.
- (ii) Applicant No. 1 Yashodabai w/o Dattu Tidke and applicant No. 2 Babita w/o Vasant Gitte are released on bail in Crime No. 142/2015 registered at Dharur police station, district Beed for the offences punishable u/ss 302, 498-A, 201, 120-B read with 34 of the Indian Penal Code on furnishing P.R. and S.B. of ₹ 15,000/- [Rupees Fifteen Thousand] each.
- (iii) Applicants shall not tamper with the prosecution evidence and shall make themselves available as and when required.

(iv) Bail before the trial Court.

[INDIRA K. JAIN]
JUDGE

KNP/Cr.Apln. 6561.2015.odt