

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 109 OF 2015

1 Suresh Sadashiv Patil.
2 Sou. Manisha Suresh Patil. ... Applicants.
Versus
The State of Maharashtra. ... Respondent.

Mr. Indrajeet Joshi, advocate for Applicants.

Mr. J.H. Ramugade, APP for State.

CORAM : SMT.SADHANA S. JADHAV,J
DATE : JANUARY 23, 2015

P.C.:

1 Heard the learned Counsel for the applicants and the learned
APP for State. Perused the papers.

2 This is an application under Section 438 of the Code of Criminal
Procedure, 1973. The applicants are apprehending their arrest in
Crime No. 245 of 2014 registered at Islampur Police Station for
offence punishable under section 306, 304(B), 498A read with
Section 34 of the Indian Penal Code.

3 It is the case of the prosecution that on 1/12/2014 Jayashri Jaywant Patil lodged a report at the police station alleging therein that her daughter Amruta was married to Sachin Patil. That Amruta was harassed on account of demand of dowry. She was ill-treated in her matrimonial house. That she had given birth to a baby girl. She was also harassed thereafter. That she committed suicide by hanging on 1/12/2014.

4 The applicant No.1 happens to be the maternal uncle of Sachin Patil and the applicant No. 2 is the wife of the applicant No. 1. The present applicants are originally resident of Padal, whereas the deceased was living in her matrimonial house at Islampur, District Sangli. It is apparent on the face of the record that the present applicants were not the members of the joint family of the deceased. They are remotely related to the deceased. Hence, in view of the observations in the case of **Arnesh Kumar v/s. State of Bihar (2014) 8 SCC 273**, the applicant deserves pre-arrest bail.

5 Hence, following order is passed:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in Crime No. 245/2014, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- each and one or two sureties in the like amount.
- (iii) The applicants shall not tamper with the evidence.
- (iv) The applicants shall report to the concerned police station as and when called.

6 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)