

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

ANTICIPATORY BAIL APPLICATION NO.1239 OF 2015

Dattatraya @Birudeo Digambar Jagdhane and Anr. ... Applicants

Vs

The State of Maharashtra ... Respondent

Mr.Ritesh M. Thobde, for the Applicants.

Mr.S.S.Pednekar, APP for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th AUGUST, 2015

P.C. :

1. Heard learned counsel for the Applicants and learned APP for the Respondent - State.

2. By this Application, the Applicants seek pre-arrest bail, in connection with C.R. No.69 of 2015, registered with the Kamati Police Station, Solapur, for the alleged offences punishable under Sections 306,

498(A), 504, 506 r/w 34 of the Indian Penal Code.

3. The Applicants are the in-laws of the deceased. According to the prosecution, the deceased got married to Malhari on 11th May, 2014. On 21st June, 2015 the deceased sustained burn injuries and on 22nd June, 2015 she expired in the hospital. Subhash Shivsharan, the father of the deceased lodged an FIR on 10th July, 2015 alleging that his daughter was ill-treated and harassed. He has alleged that the applicants and Malhari were demanding a sum of Rs.50,000/- for purchasing a motorcycle and that the deceased was being ill-treated and subjected to physical and mental cruelty, on account of the same. He has also alleged that the accused were also suspecting her character.

4. Learned Counsel for the Applicants submitted that the deceased had sustained burn injuries due to a stove blast whilst she was cooking. He submitted that the applicants are her aged in-laws.

5. Learned APP has produced on record, the statement of the deceased which was recorded on 21st June, 2015 by a police officer. The

said statement of the deceased reflects that she sustained burn injuries, whilst she was cooking. The deceased has not made any allegations against the applicant – accused.

6. *Prima facie*, considering the statement given by the deceased on 21st June, 2015, the applicants deserve to be granted anticipatory bail on the following terms and conditions

ORDER

- i) In the event of arrest, the Applicants be enlarged on bail on furnishing P.R.Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount ;
- ii) The Applicants shall attend the Kamati Police Station, Solapur, as and when called for by the Investigating officer ;
- iii) The Applicants shall not tamper or attempt to influence the complainant or any persons concerned with the case ;
- iv) The Applicant shall co-operate in the conduct of the trial.

7. The Application is allowed and disposed of in above terms.

8. It is made clear, that the observations made herein are prima facie

and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. Parties to act upon the authenticated copy of this order.

REVATI MOHITE DERE, J.