

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 163 OF 2015

Anita @ Sindhu Dattatray Kshirsagar@Patil	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. P.G. Sarda, Advocate for the Applicant
Mr. J.H. Ramugade, APP for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **17th April , 2015**

P.C.:

This Application is moved for bail. The applicant/accused is the mother-in-law of Manisha who died on 24th August, 2014 in the morning. Manisha got married to Sanjay Patil, who is accused no. 1 and son of applicant/accused, on 17th May, 2009. Manisha was continuously harassed by her husband, applicant/accused and other family members. She was assaulted, abused, treated with cruelty and there was continuous demand of gold and money to be brought from her maiden home. She was found hanged in the morning of 24th August, 2014 in the house and was declared dead. Pursuant to the information given by the brother of Manisha, offence was registered at C.R. No. 137 of 2014 with Vairag Police Station, Solapur under sections 302, 201, 323, 498A, 504 and 506 r/w. 34 of the Indian Penal Code.

2. The learned counsel for the applicant/accused has submitted that

the applicant/accused is the mother-in-law of deceased Manisha. There is no direct evidence against her. The applicant is innocent and she has not committed any offence.

3. Learned APP opposed the application. He relied on the postmortem notes, which discloses that there is double ligature mark around the neck of deceased Manisha and it is a case of murder. There is a history of previous harassment and demand of money.

4. On perusal of the papers of investigation and FIR, so also postmortem notes, it is found that it is a case of murder. There are charges of harassment against the applicant/accused, however, there is no such direct evidence against her *prima facie* on the point of murder. Hence, I am inclined to grant bail to the applicant/accused on the following terms and conditions:

ORDER

- (i) The applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount;
- (ii) The applicant shall not indulge into any criminal activity;
- (iii) The applicant shall not tamper with the evidence;
- (iv) The applicant/accused shall make herself available and

attend all the Court dates;

- (v) The applicant/accused shall not abscond and shall furnish her permanent address to the police along with address proof, in case of change in residence.
- (vi) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.
- (vii) The applicant/accused shall not leave India without the prior permission of the Court.

5. The Application stands disposed of on above terms.

(MRS.MRIDULA BHATKAR, J.)