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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.340 OF 2015
WITH
CRIMINAL APPLICATION NO.317 OF 2015

1. Narayan Bharat Kale
2. Bharat Shamrao Kale ..Applicants.

V/s.

State of Maharashtra ..Respondent.

Mr.Harshad Nimbalkar i/b. Mr.Satyam H. Nimbalkar for applicants.
Mrs. R.V.Newton, A.P.P. for the respondent-State.
Mr.B.A. Lawate for the applicant-intevenor.

CORAM : MRS.MRIDULA BHATKAR, J.

DATED : 20TH JULY, 2015

P.C. :-

1. The applicants-accused apprehend arrest in C.R. No.309/14 of Walchandnagar police station for offences punishable under section 498(A), 313, 323, 504, 506 read with 34 of the Indian Penal Code. It is the case of the prosecution that the informant married applicant No.1 on 2nd July, 2014. Thereafter, she started residing with him. Applicant No.2 is her father-in-law. Both the applicants started demanding money and started blaming her parents for not giving dowry and other articles. She was abused

and harassed in various ways at the hands of her husband and father-in-law. In the month of October, 2014 she was pregnant, applicant No.1 caused her miscarriage and thereafter she gave complaint to police.

2. Learned counsel for the applicants submitted that the applicants that applicant-accused No.1 is ready and willing to take the informant back and continue the married life with her. He further submits that the applicants have not committed any offence much rather of the nature of 498(A) of the Indian Penal Code.

3. Learned prosecutor opposed the bail. Learned counsel for the intervenor also submitted that the lady was harassed by applicant Nos.1 & 2 and, therefore, she was not ready to go and stay with applicant No.1. She apprehends for her life and it is risky to for her to go and stay with applicant No.1.

4. I had sent the present matter for mediation since in the present case applicant No.1 was ready and willing to lead a married life, however, the mediation failed. Considering the allegations, I confirm the anticipatory bail on the following terms and conditions:-

- (i) In the event of their arrest, applicant No.1 Narayan Bharat Kale and applicant No.2 Bharat Shamrao Kale be enlarged on

bail on their furnishing P.R. Bonds in the sum of Rs.15,000/- each with one or two sureties in the like amount.

- (ii) The applicants should not harass the informant and / or other witnesses.
- (iii) The applicants shall attend the police station as and when required.
- (iv) The anticipatory bail application and the intervention application are disposed of.

(MRS.MRIDULA BHATKAR, J.)