

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1539 OF 2015**

Manjula Janardhan Patil

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Ingole Milind Ashok Rao for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 23RD OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-197 of 2015 registered with the Bhiwandi Taluka Police Station, for the alleged offences punishable under Sections 328, 498A, 323, 504 r/w 34 of the Indian Penal Code.

3. The complainant is the daughter-in-law of the applicant. It is alleged by the complainant that she was married to the applicant's son, also a co-accused, some time in the month of June, 2015. He has stated that the

applicant and co-accused husband would harass her and ill-treat her. According to the complainant, there was an illegal demand made by the applicant and the co-accused. The incident in question is alleged to have taken place on 4th August, 2015. She has alleged that the applicant had abused her and that both the applicant and her husband had later physically assaulted her. She has alleged that the present applicant held her hands and the co-accused husband administered her an unknown poison from a glass and forced her to drink the said substance.

4. Learned Counsel for the applicant states that the allegations as against the applicant are false. He submits that the applicant has been falsely implicated in the said case. Learned A.P.P relied on the medical case papers of the complainant. She submitted that the complainant was admitted to the hospital on the very same day at about 9:30 p.m. and was discharged on 6th August, 2015. The history as reflected in the medical certificate is alleged injection of poison. She states that the substance has been sent to the Chemical Analyser for analysis. He submits that the co-accused has been arrested and subsequently enlarged on bail.

5. Perused the papers, in particular, the statement of the complainant and the medical certificate. The complainant has alleged a specific overt act to the applicant. She has stated that the applicant held her hands pursuant to which her husband administered her the poison.

6. Considering the nature of allegations, this is not a fit case to enlarge the applicant on anticipatory bail. The application stands rejected.

7. If an application for regular bail is filed, the same shall be considered on its own merits uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.