

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

ANTICIPATORY BAIL APPLICATION NO. 1609 OF 2015

Manisha @ Manjusha Ramrao Aher .. Applicant

v/s.

The State of Maharashtra ..Respondent

Mr. Vivek Salunke for the applicant
Smt. Veera Shinde, APP for respondent State
Mr. Prakash N. Sonawane, Police Constable, Deola Police Station,
Nashik present in Court

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 17th NOVEMBER, 2015.**

P.C.

1. This is an application for anticipatory bail filed by the aforesaid applicant, who is one of the accused in Crime No.125 of 2015 registered by Deola Police Station, Nashik under Section 302, 498-A, 304-B, 201 r/w 34 of the IPC.

2. Heard the learned Counsel for the applicant and the learned APP for the State.

3. The learned Counsel for the applicant has submitted that the alleged incident had occurred in the early morning hours before 8.30 a.m. on 10.10.2015. He has submitted that the applicant herein is the Assistant Professor in Dr. M.S. Gosavi Science and Commerce College, Nashik, which is about 90 kms away from the place of the incident. He has submitted that the applicant was residing in the hostel and the register, which is produced at page 40 reveals that she was present in the hostel on the date and time of the incident. He, therefore, contends that there is no *prima facie* material to show the involvement of the applicant in the aforesaid crime.

4. The learned APP for the State submits that the incident had occurred during the early morning hours at 10.00 a.m. and that the register indicates that the applicant was present in the hostel during the intervening night of the 9th and 10th October, 2015.

5. I have perused the records placed before me and considered

the submissions advanced by the learned Counsel for the respective parties. The records *prima-facie* reveal that there was matrimonial dispute between the deceased Neha, her husband and in-laws. Said Neha had expired on 10.10.2015. The father of the deceased had lodged the complaint alleging that the husband of the deceased and his family members were demanding dowry and were harassing and subjecting her with cruelty on account of the failure to pay or meet their demands. The FIR *prima facie* reveals that the deceased had visited her parental house prior to the incident and informed her parents about ill-treatment meted out to her by her husband and in-laws. The mother of the deceased had persuaded her to return back to her matrimonial house and accordingly had dropped her to her matrimonial house on 10.09.2015. On 09.09.2015 at about 12.00 p.m. the deceased had complained to her parents that her husband was assaulting her and that her in-laws were abusing. On 10.09.2015 at about 7.30 to 8.00 p.m. the deceased Neha was found dead. The records reveal that apart from the ligature mark, there were other

injuries on the body of the deceased Neha. Thus, *Prima-facie* there is material to show that the death of Neha was homicidal.

6. It is however to be noted that the applicant herein is the sister-in-law of the deceased Neha. The records, particularly the extract of register reveals that as on the date of the incident, she was in the hostel at Nashik, which is undisputedly 90 kms away from the place of the incident. This fact would *prima-facie* justify grant of bail to the applicant. Besides, the applicant is a woman and is professor in Dr. M.S. Gosavi Science and Commerce College, Nashik. There are no chances of the applicant absconding or fleeing from justice. Considering the above facts, in my considered view, the applicant is entitled for bail.

7. Hence, application is allowed, on the following terms and conditions.

(i) In the event of applicant arrest in Crime No. 125 of 2015, the applicant shall be released on bail on furnishing bail bonds of

Rs.25,000/- with one or two surety in the like amount to the satisfaction of the learned J.M.F.C. Deola, Dist. Nashik.

(ii) The applicant shall furnish his permanent as well as local address to the learned Magistrate and till filing of the charge-sheet, the applicant shall not leave the jurisdiction of the learned J.M.F.C. Deola, Nashik without prior permission of the Court.

(iii) The applicant shall report to the Investigating Officer for a period of 4 days from 10.00 a.m. to 1.00 p.m. from the date of the receipt of the order for the purpose of interrogation and investigation.

(ANUJA PRABHUDESSAI, J.)