

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 641/2015

Sau. Annapurna Anand Bambole and anr. ..vs.. State of Maharashtra through PSO
P.S.Ram Nagar, Chandrapur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A. P. Chaware, Advocate for applicant.
Mr. Thakare, A.P.P. for non applicant-State

CORAM : V. M. DESHPANDE, J.
DATE : SEPTEMBER 16, 2015.

This is an application for release of the applicants on bail. The application for bail is mainly opposed by the learned A.P.P. on the ground that the investigation is still in progress and charge-sheet is not filed. The present applicants are accused in Crime No.387/2015 registered with Police Station Ramnagar, Chandrapur for an offence punishable under Section 376 (2) (n), 417, 306, 506 read with Section 34 of the IPC.

The deceased is one Supriya. The first information report is lodged by her father-Bandu.

The learned A.P.P. made available to me the investigation papers. The investigation papers contain suicide note of the deceased Supriya. From the other material collected during the course of investigation, it is clear the main accused in the present crime is Akash, who is the son of the present

applicant no.1 and brother of applicant no.2.

According to the suicide note, the deceased was in live in relationship with Akash for about three years. The note further shows that she carried pregnancy. However, at the instance of Akash and his family members, the pregnancy was aborted. The further allegation in the suicide note is that Akash turned around and refused to marry her and, therefore, she has committed suicide. In the suicide note, there is no specific reference about the present applicants and a general statement is made as “घरचे सगळे जण”. The specific allegations are against Akash insofar the abortion is concerned. Further, there is nothing available on record to show that the present applicants are having any role in respect of other offences.

Looking to the nature of accusations made against the applicants and looking to the evidence collected during the course of investigation, merely because charge-sheet is not filed, the further custodial presence of the applicants is not necessary. Hence, following order is passed

ORDER

(i) Applicant No.1-Sau. Annapurna Anand Bambole and applicant no.2-Ku. Pranali Anand Bambole, be released on bail in connection with Crime No.387/2015 registered with Police Station

Ramnagar, Chandrapur for an offence punishable under Sections 376 (2) (n), 417, 306, 506 read with Section 34 of the Indian Penal Code, on they executing P.R. Bond in the sum of Rs.10,000/- each with one surety each in the like amount.

(ii) Bail before trial Court.

JUDGE

kahale