

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.825 OF 2016

1. Tara wd/o Ishwar Lashkare,
Age 32 years, Occu. Nil
R/o Haralwasti, Gundegaon,
Taluka and Dist. Ahmednagar
 2. Manisha w/o Santosh Mane,
Age 30 years, Occu. Nil
R/o Chakan, Pune
- ..Applicants

Versus

- .
- The State of Maharashtra,
Through Nagar Taluka Police
Station, Taluka and District
Ahmednagar
- ..Respondent

Mr Ajinkya Reddy, Advocate for applicants
Mr S.P. Sonpawale, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 1st March 2016

PER COURT

Heard.

2. The applicants are seeking regular bail under Section 439 of Cr.P.C., in Crime No.4 of 2016, registered at Ahmednagar Taluka Police Station, District Ahmednagar, for the offences punishable under Sections 304-B, 306, 498-A, 323, 504 and 506 read with Sec.34 of Indian Penal Code.

3. The prosecution case against the present applicants is that the applicants are real sister of Balaji, who was married to Reshma, the daughter of complainant, in 2015. It is claimed that there was consistent demand of dowry and as the demand of dowry was not

adhered to, Reshma committed suicide. The applicants who are married sisters of the husband of deceased Reshma, namely Balaji are impleaded as accused, alleging that they abetted the suicide.

4. While trying to make out the case for grant of regular bail, learned Counsel for the applicants submits that the applicants are married sisters and residing along with their respective husbands than the place of abode of their brother, Balaji. He would submit that all the family members of the applicants i.e. parents along with their brother are implicated as accused. He would then urge that since the custodial interrogation is over, further detention of the applicants is not necessary.

5. Learned A.P.P. opposed the application on the ground that the death of Reshma has occurred within a period of eight months from the date of her marriage. He would then submit that the presumption under Section 113-A of the Evidence Act is attracted in the present case and as such, prayed for rejection of the application.

6. Perused the investigation papers and analysed the same in the background of contents of F.I.R.

7. It is not in dispute that the applicants are the married sisters of Balaji, who was married in 2015 with deceased Reshma. The applicants are residing at different places than the place of residence of deceased Rekha and her husband Balaji.

8. In my opinion, since the custodial interrogation is over, further detention of the applicants is not necessary.

9. In view of above background, Criminal Application stands allowed. The applicants be released on bail in Crime No.4 of 2016, registered at Ahmednagar Taluka Police Station, District Ahmednagar, for the offences punishable under Sections 304-B, 306, 498-A, 323, 504 and 506 read with Sec.34 of Indian Penal Code, upon furnishing P.R. Bond of Rs.10,000/- with one surety in the like amount, by each of them.

(N.W. SAMBRE, J.)

vvr