

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

CRIMINAL APPLICATION NO. 960 OF 2016

Baliram s/o Shivaji Khillare,
Age: 75 years, Occ: Nil,
R/o. Hatala, Taluka Sengaon,
Dist. Hingoli.

...Applicant

versus

The State of Maharashtra,
Through the Police Inspector,
Goregaon Police Station,
Tq. Sengaon, Dist. Hingoli.

...Respondent

.....
Mr. Amit A. Yadkikar, Advocate for applicant
Mr. M.M. Nerlikar, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 1st MARCH, 2016

ORAL ORDER :

The applicant is seeking pre-arrest bail in Crime No. 6 of 2016 for the alleged incident dated 02/01/2016, registered with Goregaon Police Station, District Hingoli, for the offence punishable under Sections 306, 323, 498-A, 504 of Indian Penal Code.

2. The case of prosecution against the applicant is that, the applicant's son Jaykumar was married to deceased Ranjana in 1998 and was blessed with two sons. In view of indifferences between Jaykumar and Ranjana, Ranjana resided with her parents some time

in 2006 onwards. After death of mother of Jaykumar, Ranjana started residing with Jaykumar, who was in the meantime married to applicant No. 2 Sunita in Criminal Application No. 955 of 2016. It is claimed that from Sunita, Jaykumar blessed with two sons.

3. The claim of prosecution as against the applicant is that the applicant has abetted commission of suicide by Ranjana being father in law, as demand for dowry was not honoured.

4. While trying to make out a case for grant of pre-arrest bail, learned Counsel for the applicant would urge that, the applicant, who is personally present in the Court, is aged person and the allegation of abetment of commission of crime cannot stand to the scrutiny of what has been stated in the first information report. He would urge that applicant is aged person suffered from various ailments, as such, he is entitled for pre-arrest bail.

5. Learned A.P.P. opposed the application on the ground that the applicant being father in law of deceased Ranjana, in the background of what has been stated in the first information report appears to have abetted the crime in question. He has invited my attention to the investigation papers.

6. Looking to the nature of health of applicant, who is personally present in the Court, particularly in the back ground of his age, which is above 70 years and ailments as are reported, in my opinion, it will be appropriate in the fitness of things and in the interest of justice, to allow the application, particularly when there are no serious allegations against the applicant. As such, the application stands allowed. Hence, the following order:-

In the event of arrest, the applicant be released on bail in Crime No. 6 of 2016 registered with Goregaon Police Station, District Hingoli, for the offence punishable under Sections 306, 323, 498-A, 504 of Indian Penal Code, upon executing P.R. bond of Rs.10,000/- with one surety in the like amount. The applicant shall attend the concerned police station on 7th and 8th March, 2016 between 10-00 a.m. to 12-00 noon and thereafter as and when called by the Investigating Officer.

7. The application stands allowed in above terms.

[N.W. SAMBRE, J.]