

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1016 OF 2016

- 1] Sopan Manaji Thokale,
Age : 57 years, Occu. Agri.,
- 2] Vilas Sopan Thokale,
Age : 27 years, Occu. : Agril.,
- 3] Rohini Revannath Kapse,
Age : 30 years, Occu : Agril/Household

All no.1 to 3 R/o Varale Vasti,
Kangar road, Rahuri,
Tq. Rahuri, Dist. Ahmednagar

- 4] Arjun Magan Devhare,
Age : 25 years, Occu.: Agril.,
R/o Umbare, Tq. Rahuri,
Dist. Ahmednagar

.. Applicants

Vs.

The State of Maharashtra
Through Police Inspector,
Loni Police Station,
Dist. Ahmednagar

.. Respondent

Mr. S.B. Kadu, Advocate for the applicants
Mr. A.R. Borulkar, A.P.P. for the respondent-State

CORAM : INDIRA K. JAIN, J.
DATE : 03/05/2016

ORDER :

Applicants/accused by this application are
seeking their enlargement on bail in crime no.I-136

of 2015 registered at Loni Police Station, Dist. Ahmednagar for the offences punishable under sections 302 and 201 of the Indian Penal Code.

2. Heard Mr. Kadu, learned counsel for applicants and Mr. Borulkar, learned A.P.P. for respondent/State. Perused case papers.

3. It is the case of prosecution that Revannath Kapse was married to applicant no.3 - Rohini somewhere in 2000. The couple was blessed with a female child. She is around 12 years old. Applicant no.1 is father, applicant no.2 is brother of applicant no.3 and applicant no.4 is her relative.

4. It can be seen from the statements of witnesses that there was matrimonial dispute between applicant no.3 and her husband. Applicant no.3 was insisting for divorce and her husband refused for the same. According to prosecution, on

16/8/2015, applicants hatched conspiracy and at around 3.00 pm. called Revannath to the house of applicant no.1. When applicant no.3 and her husband were discussing, applicant no.2 put chilly powder in the eyes of Revannath, applicant no.1 delivered a blow with iron rod on his head and applicant no.4 strangulated neck of Revannath with a rope. It is further alleged that dead body was packed in gunny bag, carried in a vehicle and threw away near Shirdi bypass road.

5. Prosecution case is based on circumstantial evidence. There is no direct evidence against the applicants. Previous enmity and matrimonial dispute can be apparently seen.

6. Applicants were arrested on 18/08/2015. Since then, they are in custody. In the above backdrop, this Court is inclined to enlarge the applicants on bail and proceed to pass the following order :-

ORDER

(i) Criminal Application No. 1016 of 2016 is allowed.

(ii) Applicants are released on bail on P.B. and S.B. of Rs.15,000/- (Rs. Fifteen Thousand) each.

(iii) They shall not tamper with the prosecution evidence and shall make themselves available, as and when required.

(iv) Bail before the trial Court.

[INDIRA K. JAIN]

JUDGE

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