

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2544 OF 2016

- 1] Suresh S/o Uttam Lavte
Age : 30 years, Occu.: Agri.
- 2] Uttam S/o Maroti Lavte
Age : 65 years, Occu.: Agri.,
- 3] Ramesh S/o Uttam Lavte
Age : 40 years, Occu.: Agri.

All R/o Kawgadgaon (Bk.),
Tq. Wadwani, District : Beed .. Applicants

Vs.

The State of Maharashtra
Through its Police Inspector,
Wadwani Police Station,
Tq. Wadwani, Dist. Beed .. Respondent

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Mr. S.J. Salunke, Advocate for the applicants
Mr. A.S. Shinde, APP for the respondent-State
Mr. N.P. Bangar, Advocate for assist to A.P.P.

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CORAM : N.W. SAMBRE, J.
DATE : 10/06/2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail
in Crime no. 38 of 2016 registered at Wadwani Police

Station, Tq. Wadwani, Dist. Beed for the offences punishable under section 306, 498(A), 323, 504 r/w. 34 of the Indian Penal Code.

3. Application as regards applicant no.1 -Suresh Lavte was already not pressed, who was arrested and released on regular bail. Applicant no.2 is father-in-law and applicant no.3 is brother-in-law of the deceased. Marriage of applicant no.1 (son of applicant no.2-Uttam) was performed with complainant's daughter-Ushabai on 11/05/2005. It is clear that Ushabai committed suicide as there was consistent demand of dowry and she was subjected to cruelty and physical assault by applicant no.3-Ramesh.

4. Learned A.P.P. assisted by the learned counsel for the complainant have strongly opposed the application as there are direct allegations against the applicants.

5. While seeking bail, it is pointed out that husband, father-in-law, brother of husband, his wife are impleaded as accused.

6. The husband – Suresh was already arrested and released on bail. It is then required to be noted that marriage of the deceased with son of applicant no.2 was performed in 2005. It is highly improbable to believe that after 11 years, there will be demand of dowry.

7. Apart from above, there is hardly any material to infer that the custodial interrogation of the applicant nos.2 and 3 is necessary. Applicant no.2 is aged about 65 years.

8. In this background, in my opinion, case for grant of pre-arrest bail to applicant nos.2 and 3 is made out. Hence, the following order :-

9. In the event of the arrest of the applicant no.2-Uttam S/o Maroti Lavte and applicant no.3-

Ramesh S/o Uttam Lavte in Crime no. 38 of 2016 registered with Wadwani Police Station, Tq. Wadwani, Dist. Beed for the offences punishable under section 306, 498(A), 323, 504 r/w. 34 of the Indian Penal Code, both of them be released on bail upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each with one surety each in the like amount.

10. These applicants shall attend the concerned Police Station between 17th and 19th June, 2016 between 10 am and 12 noon and thereafter as and when called.

11. The applicants shall not tamper with the prosecution evidence in any manner.

12. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-