IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3386 OF 2016

1. Savitribai w/o Balu Jadhav,
   Age: 65 years, Occ: Agri.,

2. Sangita w/o Raosaheb Jadhav,
   Age: 30 years, Occ: Household,

   Both R/o Bardapur-Tanda,
   Tq. Ambajogai, Dist. Beed. ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

Mr Satej S. Jadhav, Advocate for applicants;
Mr S.D. Ghayal, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE: 27th July, 2016

ORDER :

The applicants are seeking pre-arrest bail in Crime No. 51 of 2016 registered with Police Station Bardapur, District Beed, for the offence punishable under Sections 306, 498-A, 323, 504 read with Section 34 of the Indian Penal Code.

2. The prosecution story appears to be as under:-

Deceased Vaishali was married to accused Bhausaheb almost eight years back. On the date of incident i.e. 5th June, 2016, there was quarrel ensured between Vaishali and Bhausaheb and Vaishali followed Bhausaheb in the field.

3. After some time, Vaishali returned back to her home along with Bhausaheb's brother's wife and at that time, she consumed poison and committed suicide, resulting into registration of crime in question.

4. While trying to make out a case for grant of pre-arrest bail, Mr. Jadhav, learned Counsel for the applicant would urge that the applicants are not responsible for the crime in question, particularly alleged demand, as marriage took place almost eight years back. He would then submit that custodial interrogation of the applicants is not

necessary, as other accused Balaram and Raosaheb i.e. father in law and brother in law of deceased Vaishali along with her husband Bhausaheb were already arrested and subjected to custodial interrogation.

5. Learned A.P.P. opposed the application on the ground that the injuries were found on the body of the deceased Vaishali and the applicants were very much available in the home when the incident took place. He would submit that the investigation in the matter is not complete and it will be inappropriate to order the release of the applicants.

6. Perused the case diary and investigation papers. The natural witnesses neighbour Kavita and Sonabai supports the case of the applicants. Apart from above, child witness Pratiksha, daughter of deceased Vaishali has also supported the case of the applicant.

7. In view of above, custodial interrogation of the applicants is not required. As such, the applicants are entitled to be released on bail. Hence, the following order:-

In the event of arrest of the applicants, they be released on bail, in connection with Crime No. 51 of 2016 registered with Police Station Bardapur, District Beed, for the offence punishable under Sections 306, 498-A, 323, 504 read with Section 34 of the Indian Penal Code, upon furnishing P.R. bond of Rs.15,000/- with one surety, by each of them.

8. In view thereof, Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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