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

CRIMINAL APPLICATION NO. 3833 OF 2016

Balaji s/o Gangaram Jadhav,
Age: 52 years, Occu: Agriculture,
R/o Bamni, Tq. Nilanga,
District Latur

..APPLICANT

VERSUS

The State of Maharashtra,
Through Police Inspector,
Police Station, Nilanga,
Tq. Nilanga, Dist. Latur

..RESPONDENT

Mr S. B. Gastgar, Advocate for applicant;
Mr S. Y. Mahajan, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 12th August, 2016

ORAL ORDER :

By the present application under section 438 of the Code of Criminal Procedure, the applicants seeks his release on bail, in connection with C.R. No.120 of 2016, registered with police station, Nilanga, Tq. Nilanga, for offences punishable under sections 302, 498-A read with section 34 of the Indian Penal Code.

2. The incident is alleged to have taken place on 11th June, 2016.

3. It is claimed by the complainant that his sister was married to one Vishnu in 2004 and the present applicant is the cousin father-in-law. According to him, his sister was murdered by the accused persons including the applicant, as her body was discovered in a well.

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4. The investigation depicts that the applicant is residing separately and there is no direct material to connect him to the crime in question, but for the statement of the parents from the side of deceased Anita. The statements of independent witnesses including that of spot panchnama depict that the applicant is residing separately and has hardly any role to play in the matter. There is delay of about four days in lodging the first information report.

5. Apart from above, there are no criminal antecedents and the applicant is very much available for investigation and prosecution.

6. In view thereof, in my opinion, it will be appropriate to direct release of the applicant on pre-arrest bail. I, therefore, pass following order :-

In the event of arrest of the applicant, in connection with C.R. No.120 of 2016, registered with police station, Nilanga, Tq. Nilanga, for offences punishable under sections 302, 498-A read with section 34 of the Indian Penal Code, he be released on bail, on furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj