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

CRIMINAL APPLICATION NO.3939 OF 2016

1. Sindhu w/o Babasaheb Hange,
Age: 45 years, Occu: Household
2. Santosh s/o Babasaheb Hange,
Age: 23 years, Occu: Agriculture,
Both R/o. Kawadgaon, Tal. Jamkhed,
Dist. Ahmednagar ..APPLICANTS

VERSUS

The State of Maharashtra ..RESPONDENT

**WITH
CRIMINAL APPLICATION NO.4376 OF 2016
IN
CRIMINAL APPLICATION NO.3939 OF 2016**

Parshuram s/o Dnyanoba Latpate ..APPLICANT

VERSUS

Sindhu w/o Babasaheb Hange & ors. ..RESPONDENTS

Mr R. D. Sanap, Advocate for applicants;
Mr S. J. Salgare, Addl. Public Prosecutor for
respondent/State
Mr T. M. Tandale, Advocate to assist A.P.P.

**CORAM : N.W. SAMBRE, J.
DATE : 5th August, 2016**

ORDER :

For the reasons stated in Criminal
Application No. 4376 of 2016, seeking permission to

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assist the prosecution, same stands allowed.

2. The applicants are seeking regular bail in Crime No. I-77 of 2016, registered with Karjat Police Station, Dist. Ahmednagar, for the offence punishable under Sections 498-A, 302, 143, 147, 148, 149 of the Indian Penal Code.

3. Deceased Sunita, who was married to Dadasaheb about 20 years back, filed Regular Civil Suit No. 282 of 2000 in the Court of Civil Judge, Junior Division, Karjat, District Ahmednagar for injunction seeking restrain order against other family member, not to alienate the property to any other person, which appears to be bone of contention qua crime in question.

4. Crime No. I-77 of 2016 came to be registered pursuant to the complaint lodged by Parshuram, brother of deceased Sunita, alleging that the applicants have murdered her as she was not permitting them to alienate the property.

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5. The applicants came to be arrested on 10th April, 2016 and after completion of investigation, charge-sheet is filed on 19th June, 2016.

6. In this background, after hearing learned A.P.P., if material collected during the investigation is evaluated, there is hardly any evidence on record to connect the present applicants, prima facie involvement in the crime in question, much less crime of murder punishable under Section 302 of the Indian Penal Code.

7. During the investigation, it was noticed that the applicants were resident of some other place than that of resident of deceased Sunita.

8. In view of above, in my opinion, further detention of the applicants is not warranted. As such, the applicants are entitled to be released on bail. Hence I pass following order :

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(a) The applicants be released on bail, in Crime No. I-77 of 2016, registered with Karjat Police Station, Dist. Ahmednagar, for the offence punishable under Sections 498-A, 302, 143, 147, 148, 149 of the Indian Penal Code, upon furnishing P.R. bond of Rs.15,000/- with one surety in the like amount, by each of them.

(b) The applicants shall not tamper with the prosecution evidence or influence the witnesses.

6. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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