

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

CRIMINAL APPLICATION NO.6297 OF 2015

1. Smt. Mayabai Sakharam Shirsath,
Age 56 years, Occu. Service,
 2. Sakharam Bhika Shirsath,
Age 67 years, Occu. Pensioner,

R/o Dongargaon, Taluka Shahada,
District Nandurbar
- ..Applicants

Versus

- . The State of Maharashtra,
Investigation Officer,
Shahada, District Nandurbar
- ..Respondent

Mr A.R. Syed, Advocate h/f Mr P.P. Chavan, Advocate for applicants
Mr A.P. Basarkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 27th January 2016

PER COURT

Heard.

2. The applicants are seeking pre-arrest bail in Crime No.164/2015 registered at Shahada Police Station, District Nandurbar for the offences punishable under Sections 302, 498-A, 323, 504 and 506 of the Indian Penal Code, for an alleged incident dated 23rd September 2015.

3. It appears that the complainant, mother of the victim Meenakshi who was married to the son of the present applicants, namely Sanjay alleged that the applicants herein have abetted in the crime in question by supporting their son in the quarrel in between deceased Meenakshi and Sanjay.

4. It is not in dispute that the investigation in the matter is complete and the charge-sheet is already filed. The marriage of deceased Meenakshi with the son of applicants, Sanjay took place some seventeen years back and the applicants were blessed with two grand children. Both the grand children in their statements have stated that the present applicants used to support their father Sanjay in quarrel in between Sanjay and deceased Meenakshi, however, there is hardly anything on record to infer that the applicants are directly involved in the crime in question.

5. Apart from above, it is to be noted that the applicants and their other sons were staying separately from that of Meenakshi and Sanjay.

6. In this background, in my opinion and looking to the age of applicant No.1, it will be appropriate to grant protection to the applicants. As such, I proceed to pass the following order.

(I) In the event of their arrest in Crime No.164/2015 registered at Shahada Police Station, District Nandurbar for the offences punishable under Sections 302, 498-A, 323, 504 and 506 of the Indian Penal Code, the applicants be released on interim bail, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount, by each of them.

(II) The applicants shall attend the concerned police station from 1st February 2016 to 4th February 2016 between 10.00 a.m. and 12.00 noon and thereafter as and when called.

7. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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