

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

CRIMINAL APPLICATION NO. 6426 OF 2015

1. Sau. Anjanabai Bhimrao Kakade,
Age : 50 years, Occu. Household.
2. Mr. Kera Sadashiv Ubale,
Age : 55 years, Occu. Agril.,
Both R/o. Akhoni, Rashin,
Tq. Karjat, Dist. Ahmednagar. ... Applicants

VERSUS

The State of Maharashtra ... Respondent

.....
Mr Prashant N. Khedkar, Advocate for applicants
Mr S. M. Ganachari, APP for respondent/State
.....

CORAM : N. W. SAMBRE, J.

DATE : 11TH JANUARY, 2016.

PER COURT:

. By this application, the applicants herein are seeking regular bail in Crime No. I-277 of 2015 registered with Karjat Police Station, Tq. Karjat, Dist. Ahmednagar for the offence punishable under Sections 363, 366-A read with 34 of the Indian Penal Code.

2. The applicants were arrested on 6th November, 2015 and were remanded to police custody till 10th November, 2015 and since then they are in judicial custody.

3. It is the case of the prosecution that, son of applicants namely; Somnath, an accused has kidnapped the complainants daughter namely; Sneha.

4. The fact remains that Somnath and Sneha both are not traceable.

5. Apart from above, the learned Counsel for applicants would urge that the custodial interrogation of the present applicants is already over and the fact remains that Somnath and the daughter of complainant are not traceable till date. He would urge that, applicant No. 1, a lady is behind bars since last two months without any *prima facie* evidence against her.

6. Learned APP would urge that, there are eye-witnesses to the incident as regards accused No. 1 – Somnath, who has eloped with victim Sneha. According to him, the detention of the applicants would facilitate the custody of Somanth and Sneha.

7. Perused the investigation papers. There is hardly any material available on record to infer that the applicants are *pirma facie* involved in the crime in question.

8. In this background, applicant No. 1 being woman aged about more than 50 years so also applicant No. 2 aged about 55 years, are entitled

for bail. Hence, I proceed to pass the following order.

ORDER

- (i) The applicants Sau. Anjanabai Bhimrao Kakade and Mr. Kera Sadashiv Ubale in Crime No. I-277 of 2015 registered with Karjat Police Station, Tq. Karjat, Dist. Ahmednagar for the offence punishable under Sections 363, 366-A read with 34 of the Indian Penal Code, be released on bail on their furnishing PR bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thouand) each, with one surety in the like amount.
 - (ii) The applicant shall not tamper with the prosecution evidence.
9. The application stands allowed in above terms.

[N. W. SAMBRE]
JUDGE

sgp