

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 6526 OF 2016

1] Nabi Bashir Sheikh,
Age : 75 years, Occu.: Agriculture,
R/o Fulshivara, Tq. Gangapur,
Dist. - Aurangabad

2] Ahmadabi Nabi Sheikh,
Age : 68 years, Occu.: Agriculture,
R/o As above

.. Applicants

Vs.

The State of Maharashtra
Through Police Station, Shillegaon,
Tq. Gangapur, Dist. - Aurangabad

.. Respondent

Mr. P.P. Dawalkar, Advocate for the applicant
Mr. S.P. Deshmukh, APP for the respondent/State

CORAM : A.S. CHANDURKAR, J.
DATE : 21/12/2016

ORAL ORDER :

Heard.

2. The applicants, who have been arrested on 14/11/2016 in connection with Crime no.I-301 of 2016 registered with Shillegaon Police Station, Tq. Gangapur, District - Aurangabad for the offences punishable under Sections 498-A, 306, 323, 504, 506 read with 34 of the Indian Penal Code, seek their release on bail.

3. As per the FIR dated 14/11/2016, the daughter of the informant was married with the son of the applicants on 18/4/2005. It is stated that initially for a period of eight years, there was no ill-treatment, after which the in-laws and husband started harassing the daughter of the informant. On 09/11/2016, some relatives had been to the house of the informant's daughter to normalize the relations. On 13/11/2016, the daughter of the informant committed suicide.

4. It is submitted by learned counsel for the applicants that the applicants are the in-laws of the deceased. In the FIR, allegations of general nature have been levelled against the applicants. According to the learned counsel for the applicants, considering their age and the fact that the investigation is almost complete in the crime, their further detention is not warranted.

5. Application is opposed by learned Additional Public Prosecutor by relying upon the police papers.

He referred to statements of relatives to indicate harassment of the informant's daughter. It is submitted that considering the seriousness of the offence, the application deserves to be rejected.

6. I have perused the police papers. Statements recorded are general in nature insofar as the present applicants are concerned. The aspect of abetment at the instance of the present applicants *prima facie* appears to be lacking. Considering the age of the applicants and nature of material collected, I find that a case has been made out by the applicants for their release on bail.

7. In view of aforesaid, the following order :-

ORDER

I] The applicants, who are arrested in connection with Crime no.I-301 of 2016 registered with Shillegaon Police Station, Tq. Gangapur, District - Aurangabad for the offences punishable under Sections 498-A, 306, 323, 504, 506 read with 34 of the Indian Penal Code, are directed to be released on bail, upon each of them

furnishing P.R. bond of Rs.15,000/- with one surety in the like amount.

II] They shall attend the concerned Police Station as and when directed.

III] They shall not take any steps to influence the prosecution witnesses.

8. By clarifying that the observations made in this order are only for deciding the bail Application, the same is accordingly allowed and disposed of.

[A.S. CHANDURKAR]
JUDGE

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