

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.515 OF 2016**

1. Rohini Bhatu Borse
2. Pragati Keval Bagul
3. Rani Ashok Pawar
Versus

...Applicants

The State of Maharashtra

...Respondent

Mr. R. N. Gite for the Applicants

Mr. Y. M. Nakhwa, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
THURSDAY, 28th APRIL, 2016***

P.C. :

1. Heard learned counsel for the applicants and the learned A.P.P.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. I-17 of 2016 registered with the Jaykheda Police Station, Satana District, Nashik, for the alleged offences punishable under Sections 302, 201, 498A, 323, 504, 506 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicants states that the applicant No.1 is the co-sister of the deceased and applicants Nos. 2 and 3 are the

married sisters-in-law and were residing at their respective matrimonial homes. He submitted that there are no specific allegations, *qua* the applicants, who are ladies and that the applicants have been falsely implicated in the present case along with the other co-accused. He submitted that there is no specific role attributed to any of the applicants in the FIR. He submitted that even as per the FIR, applicant Nos. 2 and 3-married sister-in-laws of the deceased were not frequent visitors to the matrimonial home of the deceased. Learned Counsel for the applicants submits that during the pendency of this application, the husband and the sons of the accused Nos. 2 and 3 have been granted anticipatory bail.

4. On 21st March, 2016, the learned APP, on the instructions of the Investigating Officer, who was present in Court, submitted that the Investigating Officer was investigating the role and presence of the applicants at the time of the alleged incident. Learned A.P.P submits that the Investigating Officer is not present today and seeks time.

5. On 21st March, 2016, leaned A.P.P on the instructions of the Investigating Officer, had sought time. On 2nd April, 2016 again, as the

Investigating Officer was not present, learned A.P.P sought time. On 13th April, 2016, again time was sought by the learned A.P.P. Learned A.P.P submits that despite messages, none has come to give instructions.

6. It appears that in the FIR, there are no specific allegations *qua* the applicants. Applicant No. 1 is the co-sister of the deceased and the applicant Nos. 2 and 3 are married sisters-in-law. Even as per the FIR, applicant Nos. 2 and 3 were married sisters-in-law and were not frequent visitors to the house of the deceased. For want of any assistance, the applicants are granted anticipatory bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount ;
- (ii) The applicants shall report to the Investigating Officer as and when called;

(iii) The applicants shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicants shall cooperate in the conduct of the trial.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.