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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**ANTICIPATORY BAIL APPLICATION NO.1128 OF 2016**

Soma @ Megh Roy Choudhary ..Applicant.

V/s.

State of Maharashtra ..Respondent.

Mr.A.P.Mundargi, Senior Advocate i/b. Shriram S.Chaudhari for the applicant.

Mr.Deepak Thakery, APP for respondent-State.

**CORAM : A.M.BADAR, J.**

**DATED : 27TH JULY, 2016**

**P.C. :-**

1. The applicant / accused in Crime No.227/2016 for offences punishable under section 302, 120B 201, 177 read with 34 of the Indian Penal Code registered with Vijapur Naka Police Station, Solapur at the instance of Balasaheb Sadashiv Shinde, Assistant Police Inspector, Crime Branch, Solapur by this application is seeking pre-arrest bail.

2. Heard the learned senior counsel appearing for the applicant / accused. The learned senior counsel argued that there is no iota of evidence against the present applicant so

as to connect her to the crime in question.

3. The learned APP opposed the application by submitting that the applicant was in company of the main accused for a period of about one month in May - June , 2016. Perused the papers of investigation. In the night intervening 8<sup>th</sup> and 9<sup>th</sup> July, 2016 Dr.Rashmi Agrahar - wife of the main accused Dr.Prassanna Agrahar died in her house while sleeping. According to the prosecution case, main accused Dr.Prassanna was having extra marital relations with the present applicant and for this reason, Dr.Rashmi came to be murdered by the main accused Dr.Prassanna.

4. The present applicant is a resident of Kolkatta in West Bengal State. Papers of investigation does not reflect any evidence to show that the present applicant was part of conspiracy to eliminate Dr.Rashmi Agrahar. There is no evidence to show that the applicant was present in the city or at the house of the deceased at the time of the incident or that knowing commission of an offence, she has destroyed evidence. The learned senior counsel submits that the present applicant will co-operate the Investigating Officer in future as

and when such assistance is reasonably required.

5. Considering the nature of evidence against the present applicant as reflected, custodial interrogation of the present applicant is not at all warranted. Hence the order :-

- (i) The application is allowed;
- (ii) Ad-interim anticipatory bail granted on 5<sup>th</sup> July, 2016 is confirmed on the same terms and conditions;
- (iii) In addition to the above, the applicant / accused shall inform his latest place of residence and cell number after his release and continue to inform the change in residence or cell number, if any, from time to time to the Investigating Officer of the concerned police station and on filing the charge-sheet to the concerned Court;
- (iv) The applicant / accused shall co-operate for expeditious disposal of the trial;
- (v) The applicant / accused shall not leave India without the prior permission of the concerned Court;
- (vi) The application is disposed of accordingly.

**(A.M.BADAR, J.)**