

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1883 OF 2015**

1. Kapil Kashinath Patil,	
2. Geeta Kapil Patil	...Applicants
Versus	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 1884 OF 2015**

Urmila Kapil Patil	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Mateen A. R. Shaikh for the Applicants

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

***CORAM : REVATI MOHITE DERE, J.
THURSDAY, 7th APRIL, 2016***

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. By these applications, the applicants seek pre-arrest bail in connection with C.R No. 78 of 2015 registered with the Poinad Police

Station, Raigad, for the alleged offences punishable under Sections 498A, 306, 34 of the Indian Penal Code.

3. The applicants in Anticipatory Bail Application No. 1883 of 2015 are the mother-in-law and father-in-law of the deceased respectively and applicant in Anticipatory Bail Application No. 1884 of 2015 is the unmarried sister-in-law of the deceased.

4. The complainant - Naresh Patil is the cousin of the deceased. He has stated that the deceased got married on 29th January, 2015 with Suresh Patil and that Rs. 1,50,000/- was given as dowry to Suresh Patil. He has stated that initially for a period of nine months, the deceased was treated well. He has alleged that five months after the deceased conceived, the co-accused Suresh Patil started harassing and ill-treating the deceased, alleging that the child did not belong to him. He has alleged that the villagers/relatives went and met Suresh Patil, pursuant to which, he promised to treat the deceased well. It is also alleged that the brother-in-law of the deceased was trying to have relations with the deceased and that she

had disclosed the same to her in-laws, however, they refused to listen to the said allegations and instead, abused the deceased.

5. Learned Counsel for the applicants submits that essentially all the allegations are *qua* the co-accused Suresh Patil. He submitted that the allegations *qua* the applicants are general in nature and that no specific overt act has been attributed to the applicants. He further submitted that there is no allegation at all against Urmila Patil, the applicant in Anticipatory Bail Application No. 1884 of 2015, except that in the last sentence of the FIR, her name is disclosed. It is alleged by the complainant, that being fed up of the quarrels, the deceased committed suicide.

6. Perused the papers. It appears that Suresh Patil and the brother-in-law Kapil Patil have been enlarged on bail. It also appears that the allegations are essentially against Suresh Patil. The allegations as against the applicants are general in nature. Considering the same, 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, till the filing of the charge-sheet;

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

7. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

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

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

REVATI MOHITE DERE, J.