

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION [BA] NO.132 OF 2016

(Varsha Mohan Tayde

vs.

State of Maharashtra, through P.S.O. Old City, Akola, Tah. and Dist. Akola)

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Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

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Court's or Judge's Orders

CORAM : Z.A. HAQ, J.

DATE : 16th MARCH, 2016.

Heard Shri A.M. Jaltare, learned Advocate for the applicant and Shri N.S. Khubalkar, learned A.P.P. for the non-applicant.

The applicant is arrested on 30th of March, 2015 in crime registered against her and her husband for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

The accusations against the applicant are that she was having affair with Ravi Shirsat (deceased), who was married and having two children, that the applicant took Ravi to her house on the date of incident, the mother of deceased sensed some foul play and followed deceased Ravi and applicant, heard shouts of deceased and when she reached the spot, she saw that the applicant had held deceased and the husband of the applicant was assaulting Ravi with crowbar on his head.

The charge-sheet is filed on 8th of June, 2015.

Considering the facts on record, that the applicant is a woman, that the non-applicant has not been able to show that custody of the applicant is required for further investigation, in my view, the applicant is entitled to be released on bail.

Hence, the following order :

- i. The applicant having been arrested in Crime No.130/2015 registered by the non-applicant, she be released on bail on furnishing P.R. Bond in the sum of Rs.20,000/- (Rupees Twenty Thousand Only) with one solvent surety in the like amount.
- ii. As the facts on record show that the applicant is residing in the same locality, where the witnesses are residing, the applicant shall not reside in Panchsheel Nagar, Old City, Akola.

Shri A.M. Jaltare, learned Advocate for the applicant, on instructions, has stated that the applicant will be residing in village Aladalpur, Tahsil Murtijapur, District Akola till the trial concludes.
- iii. The application is allowed in the above terms.

JUDGE

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