

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

CRIMINAL APPLICATION (BA) NO.288 OF 2016

(Satish @ Sachin s/o Devidas Rode Vs. The State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R. R. Vyas, Advocate for the applicant.
Smt. Mayuri Deshmukh, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.

DATED : 09 JUNE, 2016

Heard learned Counsel for the applicant and
learned A.P.P. for the State.

This application has been strongly opposed by
the learned A.P.P. She has taken me through the FIR as
well as the statement of witnesses in order to show as to
how there was consequent demand of dowry and also the
cruelty meted out to deceased Priya by the applicant, her
mother-in-law, Shobha and brother-in-law, Sandip.

However, on going through what is stated in
the FIR and also the statements of witnesses, including
the statement of Maya, the mother of deceased Priya, I
find it difficult to make any inference about prima facie
assessment of the various acts alleged to have been
committed by the present applicant against his wife Priya
for constituting the offence punishable under Sections

306, 498-A read with Section 34 of the Indian Penal Code. As regards the offence punishable under Section 304-B of the Indian Penal Code, I find that there is no consistent prima facie evidence on illegal demand of money. The allegations made against the present applicant and the others, at this stage, appear to be arising out of some quarrel between deceased Priya and sister-in-law, Vandana and those quarrels were prima facie over petty issues. The allegations, which have been made against this applicant, have also been made against his mother Shobha and brother-in-law, Sandip. But, Shobha and Sandip have been released on bail by this Court. Therefore, I am of the view that this applicant is also entitled to be released on bail.

The application is allowed.

The applicant be released on bail on his furnishing a P. R. Bond in the sum of Rs.15,000/- together with one solvent surety in the like amount on the conditions that the applicant shall not tamper with the prosecution witnesses and shall attend the trial regularly.

JUDGE