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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.155 OF 2017

Janabai @ Jayabai w/o Ramrao Pawar,
Age: 46 years, Occu: Service as
Anganwadi Sevika,
R/o Seva Nagar Tanda,
Tal. Parali (V), Dist. Beed

..APPLICANT

VERSUS

The State of Maharashtra,
Through Police Inspector,
Police Station, Parali (V) Rural,
Tal. Parali (V), Dist. Beed

..RESPONDENT

Mr S. S. Thombre, Advocate for applicant;
Mr A. D. Namde, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 30th January, 2017

ORAL ORDER

By the present application under Section 438 of the Code of Criminal Procedure, the applicant seeks her release on bail, in connection with C.R. No.221 of 2016, registered with Police Station, Parali (V), Tal. Parali (V), District Beed, for offences punishable under Sections 498-A, 323, 307, 302 read with Section 34 of the Indian Penal Code.

2. Pursuant to statement of Yashoda, initially offence punishable under Sections 498-A, 323 read with Section 34 of the Indian Penal Code was registered. Subsequently, in view of supplementary statement of Yashoda, Sections 302 and 307 of the Indian Penal Code came to be added. The

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applicant herein is mother-in-law of deceased Yashoda.

3. Upon perusal of the investigation papers, deceased has attributed specific role in relation to her death to her husband, namely, Ram, who is informed to have been already arrested. The death of Yashoda is due to septicemia due to thermal burns. A specific role is attributed to her husband, who has poured kerosene on Yashoda and set her on fire under influence of liquor.

4. So far as the present applicant is concerned, but for allegation for offence punishable under Section 323 of the Indian Penal Code, I hardly see any material to connect her with the crime in question.

5. In view thereof, the application succeeds. Hence, following order :-

In the event of arrest of the applicant, in connection with C.R. No.221 of 2016, registered with Police Station, Parali (V), Tal. Parali (V), District Beed, for offences punishable under Sections 498-A, 323, 307, 302 read with Section 34 of the Indian Penal Code, she be released on bail, on furnishing P.R. Bond of Rs.15,000/- with one or two sureties in the like amount.

The applicant shall attend the Investigating Officer on 7th and 8th February, 2017, between 12.00 noon and 2.00 p.m. and thereafter as and when called.

(3)

The applicant shall not take any steps either influence the prosecution witnesses nor shall tamper with evidence.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj