

(1)

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

CRIMINAL APPLICATION NO. 321 OF 2017

Rameshwar s/o Ambadas Bagal,
Age: 35 years, Occ: Agri.,
R/o. Siddheshwar Nagar,
Shimpetakli, Tq. Majalgaon,
Dist. Beed. ..APPLICANT

VERSUS

The State of Maharashtra
Through Police Station
Majalgaon (Rural), Tq. Majalgaon,
Dist. Beed. ..RESPONDENT

**WITH
CRIMINAL APPLICATION NO. 589 OF 2017
IN
CRIMINAL APPLICATION NO. 321 OF 2017**

Dnyaneshwar s/o Baliram Dhepe,
Age: 34 years, Occ: Agri.,
R/o. Phulepimpalgaon,
Tq. Majalgaon, Dist. Beed. ..APPLICANT

VERSUS

Rameshwar s/o Ambadas Bagal,
Age: 35 years, Occ: Agri.,
R/o. Siddheshwar Nagar,
Simpetakli, Tq. Majalgaon,
Dist. Beed & anr. ..RESPONDENTS

Mr S.J. Salunke, Advocate for applicant in Criminal
Application No. 321 of 2017 and for respondent No.1
in Criminal Application No. 589 of 2017;
Mr V.S. Badakh, Addl. Public Prosecutor for
respondent/State
Mr P.N. Muley, Advocate to assist A.P.P.

(2)

CORAM : N.W. SAMBRE, J.**DATE : 1st FEBRUARY, 2017****ORAL ORDER :**

For the reasons stated in Criminal Application No.589 of 2017 seeking permission to assist the prosecution, same stands allowed.

2. In Crime No. 279 of 2016, registered with Majalgaon (Rural) Police Station, District Beed, for offence punishable under Sections 498-A, 306, 323, 504 read with Section 34 of the Indian penal Code, the applicant is seeking regular bail.

3. The prosecution story as appears from the contents of the first information report is, present applicant was married to Mangal. Said Mangal committed suicide by consuming poison. As such, offence came to be registered alleging that there was demand of Rs.50,000/- for purchase of motor cycle and Rs.2,00,000/- for purchase of agricultural field.

(3)

4. Admittedly, Mangal died of suicidal death.

5. It is informed that the investigation in the matter is already complete and papers are submitted to the office of Superintendent of Police for approval for filing charge sheet.

6. The applicant was subjected to custodial interrogation and looking to the nature of allegations, particularly delay in lodging first information report and other material, matrimonial relationship between applicant and Mangal for last six months, family status of the applicant, it will be appropriate, in my opinion, to release the applicant on bail.

7. In view thereof, following order is passed:-

(i) The applicant be released on bail, in connection with Crime No. 279 of 2016, registered

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with Majalgaon (Rural) Police Station, District Beed, for offence punishable under Sections 498-A, 306, 323, 504 read with Section 34 of the Indian penal Code, on furnishing P.R. bond of Rs.25,000/- with one or two sureties in the like amount.

(ii) The applicant shall not influence the prosecution witnesses or tamper with evidence.

(iii) Two consecutive absence of the applicant before the Court below during trial shall entail the said Court to initiate proceedings for cancellation of bail.

8. Criminal Application No.321 of 2017 stands allowed in above terms.

(N.W. SAMBRE, J.)

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