

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

8 CRIMINAL APPLICATION NO. 1428 OF 2017

SURESH S/O. GANGADHARRAO JADHAV
VERSUS
THE STATE OF MAHARASHTRA

Shri. R.J. Nirmal, Advocate, for applicant.

Shri. A.R. Borulkar, Additional Public Prosecutor, for
respondent.

Coram: T.V. NALAWADE, J.

Date: 30 March 2017

ORDER:

1) The application is filed for relief of anticipatory bail. Both the sides are heard. It was submitted that this is the first application filed for anticipatory bail in this Court.

2) The crime is registered on the basis of report given by the wife of the applicant. Her marriage was performed with the present applicant in the year 2004. She has made allegation that the applicant and his relatives were asking her to bring Rs. One lakh from her

parents as they wanted to make construction of the house. It is her case that as the demand was not met with, she was driven out of the matrimonial house on 4-12-2016 at 7.00 p.m. Since then she is living with her parents in Majalgaon.

3) She has made allegations that on 9-12-2016 at 3.00 p.m. when she was alone in the house of her parents, present applicant and his relatives came there, they asked her as to why she was intending to file case against them, they gave threat of life and they poured kerosene on her person to finish her. It is her case that the applicant and his relatives assaulted her with kicks and fists blows. It is her case that shouted and so the neighbours rushed to the spot and then the applicant and his relatives ran away.

4) The distance between the place of residence of the applicant and Majalgaon where the complainant is residing is about 100 kilometers as per the statement made. The police papers show that no injury was sustained by her when she made allegations that she was assaulted by her brother-in-law and mother-in-law. The

statements of the relatives are on hear-say basis and they show that such incident was disclosed to them by the complainant. The submissions made show that other persons who were named in the F.I.R. are already granted anticipatory bail. Therefore, the present case cannot be treated on different footing. This Court holds that relief of anticipatory bail needs to be granted to the applicant.

5) The application is allowed. In the event of arrest in connection with Crime No.103/2016 registered in Police Station Majalgaon City, District Beed for offences punishable under sections 307, 498-A, 323, 504 read with 34 of the Indian Penal Code the applicant be released on bail on his furnishing P.B and S.B. of Rs.15,000/-. The applicant is not to tamper with prosecution witnesses. He is not to commit similar offences. He is to attend the concerned police station on four consecutive Sundays between 9.00 a.m. and 12.00 p.m. and he is to cooperate police during investigation.

Sd/-
(T.V. NALAWADE, J.)

rs1