

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

CRIMINAL APPLICATION NO. 2232 OF 2017

Wahed Nabi Shaikh **... Applicant**
Age 35 years, Occu: Agri.
R/o Fulshivara, Tq. Gangapur
District Beed.

VERSUS

The State of Maharashtra **... Respondent**
Through Shillegaon Police
Station, Taluka Gangapur District
Aurangabad.

Mr. P. P. Dawalkar, Advocate for the applicant
Mr. S. J. Salgare, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 20th June, 2017

ORDER:

1. Heard Mr. Dawalkar, learned counsel for the applicant and Mr. Salgare, learned APP for the State.

2. This application is filed under section 439 of the Criminal Procedure Code for bail in connection with Crime No.301/2016, registered with Shillegaon Police Station Taluka Gangapur District Aurangabad for the offences punishable under Sections 498(A), 306, 323, 504, 506 r/w section 34 of the Indian Penal Code.

3. As per the first information report lodged on 14.11.2016, daughter of the informant was married with

the present applicant on 18.04.2005. It is stated that meanwhile, for a period of about 8 years, there was no ill-treatment to his daughter and thereafter, in-laws and present applicant started giving ill-treatment to her. On 09.11.2016, some relatives had been to the house of the informant's daughter to normalize the relation. On 13.01.2016, the daughter of the informant committed suicide alongwith her daughter. On the basis of report of the informant, aforesaid crime is registered. The applicant was arrested on 14.11.2016 and subsequently remanded to MCR.

4. Application is opposed by the prosecution. Learned APP submits that there are serious allegations against the present applicant.

5. I have gone through statements of witnesses. The nature of allegations against the present applicant and his parents are of serious nature in reference to the illtreatment and illegal demand to the deceased. Parents of the applicant were released on bail by this Court by order dated 21.12.2016 in Criminal Application No. 6526/2016. The nature of accusations against the present applicant is also same.

6. On the last date, report was called from the

learned Additional Sessions Judge as to the stage of the proceedings. The learned Additional Sessions Judge, by his report dated 15.06.2017, has informed that the present case is fixed for framing of charge. It means that considerable time will require for conclusion of the trial. In such circumstances, further detention of the present applicant is not necessary.

7. In view of the above, on the ground of parity, the present applicant is also entitled for bail. Hence following order:

O R D E R

- i. The applicant shall be released on bail on his furnishing personal bond of Rs.15,000/-(Rupees fifteen thousand) with one solvent surety of like amount.
 - ii. The applicant shall not influence the prosecution witnesses and shall not tamper with prosecution evidence in any manner.
8. Criminal application is disposed of.

(K. L. WADANE, J.)

JPC