

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

CRIMINAL APPLICATION NO. 2606 OF 2017

Naveen Vilas Pawar **... Applicants**
Age 29 years, Occu: Nil
R/o 349, Main Road, Ozar, Taluka
Nifad, District Nashik

VERSUS

The State of Maharashtra **... Respondent**
Through Investigating Officer,
in Crime No.111/17, City Police
Station, Shirpur, Tqluka Shirpur,
District Dhule.

WITH

CRIMINAL APPLICATION NO. 2607 OF 2017

Vilas Vishnupant Pawar **... Applicants**
Age 61 years, Occu: Nil
R/o 349, Main Road, Ozar, Taluka
Nifad, District Nashik

VERSUS

The State of Maharashtra **... Respondent**
Through Investigating Officer,
in Crime No.111/17, City Police
Station, Shirpur, Tqluka Shirpur,
District Dhule.

Mr. Ajeet B. Kale, Advocate for the applicants

Mr. K. N. Lokhande, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 9th June, 2017

ORDER:

1. Heard Mr. Kale, learned counsel for the applicants and Mr. Lokhande, learned APP for the State.

2. These applications are filed under section 439 of the Criminal Procedure Code, seeking bail in connection with Crime No.111/17, registered with City Police Station, Shirpur, Tqluka Shirpur, District Dhule, for the offences punishable under sections 304 (B), 306, 498A, 323, 504, 506 read with section 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. Allegations against the applicants are that they were taunting the deceased Rajashri. Therefore she was fed up with such conduct of the accused persons so also there was ill-treatment to her on account of less dowry given in the marriage and the accused were demanding money for purchase of Flat at Mumbai. During the course of investigation, accused persons including mother-in-law of the deceased were accused. Mother-in-law namely Rakhabai was released on regular bail. Present applicants were arrested on 17th April, 2017. Both of them were in Police custody and after interrogation, they were remanded to MCR. Hence they are behind bars since 17th April, 2017.

4. Considering the gravity of the allegations made against the applicants, it appears that it is only

relating to taunting the deceased. From the record, it reveals that the deceased committed suicide when she was in her parental house. According to the prosecution, ill-treatment to the deceased started from 08.04.2017 and the deceased committed suicide on 08.05.2017.

5. Considering the allegations made against the applicants and other accused persons, it appears that such allegations are vague and general in nature. Furthermore, the present applicants were available for interrogation and after due interrogation, they were remanded on MCR. In the facts and circumstances of the case, I am of the opinion that detention of the accused persons is not needed for the purpose of interrogation. Therefore, the applicants can be released on certain conditions. Hence following order:

O R D E R

- i. The applicants shall be released on bail in connection with Crime No.111/17, registered with City Police Station, Shirpur, Tqluka Shirpur, District Dhule, on their executing P.R. Bond of Rs. 25,000/- [Rs. Twenty five thousand only] with one solvent surety in the like amount.

- ii. The applicants shall attend City Police Station, Shirpur, Tqluka Shirpur, District Dhule, once in a week i.e. on every Monday between 10.00 a.m. to 12.00 noon till filing of the charge-sheet.
 - iii. The applicants shall not contact the prosecution witnesses and shall not tamper with the prosecution evidence in any manner.
 - iv. The applicants shall not enter limits of town Shirpur, District Dhule, except for the purpose attending the police and as directed by the Court.
6. Criminal applications disposed of.

(K. L. WADANE, J.)

JPC