

Vishnu Shrimant Jadhav ... **Applicant**
Age 35 years, Occu: Agriculture
& Ex-Service Man R/o Bamni Tq.
Nilanga Dist. Latur

The State of Maharashtra ... Respondent
Through Nilanga Police Station
Dist. Latur.

DATE : 11th July, 2017

1. Heard Mr. Chatterji, learned counsel for the applicant and Mr. A. S. Shinde, 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. 120/2016, registered with Nilanga Police Station, Dist. Latur for the offences punishable under Sections 302, 498-A read with section 34 of the Indian Penal Code.

3. First information report is lodged against the present applicant/accused by the brother of the

deceased namely Dattatray Suryawanshi alleging that his sister Anita was given in marriage to the present applicant in the year 2004. They have two daughters namely Santoshi and Khushi. Accused was working in Pharmaceutical Company and for about six months prior to the incident, he had returned to village Bamni and was residing with her sister and was doing agricultural work. One year after marriage, applicant Vishnu and other accused persons started illtreatment to Anita by calling her unchaste and were assaulting her. They were also insisting her to bring money from maternal house. Anita used to disclose this fact to her relatives. Since marriage, till date of incident an amount of Rs.10 lakh was paid to the accused. On 8.06.2016 Anita came to her maternal home and disclosed the incident of assault and calling her unchaste and since last few days, they were insisting that she should bring Rs.50,000/- for goat farm. On 10.06.2016, in the evening the applicant came to the house of the informant and asked the informant as to when they were giving money. He insisted for money and forcibly taken Anita with him. On 11.06.2016, family of the first informant received phone call from village Bamni that Anita died by falling in well. They rushed

to village Bamni. Dead body of Anita was taken out from the well. Her hair were found totally removed and one big stone of 15 kg. was tied to her body. On the basis of the information, offence came to be registered against the accused persons.

4. From the statement of the complainant, it is very clear that ill-treatment was being given to the deceased. Further more, from the statement of the witness, it appears that husband i.e. applicant was suspecting her character. From the statement of witness Baburao Shamrao Nile, it appears that on the day of incident i.e. on 11.06.2016, at about 3.00 p.m, deceased and the present applicant were proceeding towards their field. At that time hairs were there on the head of deceased. Then, at about 7.00 p.m, this witness came to know that deceased Anita died due to drowning in the well. Even the particulars narrated by the informant are too specific in reference to the illegal demand and ill-treatment for non fulfilling of demand and the allegation as to the character of the deceased. In such circumstances, I am of the opinion that there is sufficient material to prima facie hold that the applicant might have committed murder of his wife.

5. In view of the above, the applicant is not entitled for bail. The criminal application is rejected.

6. The above said observations are made prima facie to decide bail application and it has nothing to do at the time of conclusion of the trial.

(K. L. WADANE, J.)

JPC