

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2875 OF 2017

- 1 Narsing Bapurao Kokate, Age 22 ... **Applicants.**
years, Occ. Private Service,
R/o. Daskhed, Tq. Patoda,
District Beed.
- 2 Lata w/o Bapurao Kokate, Age 50
years, Occ. Household R/o. As
above.

V E R S U S

- 1 The State of Maharashtra, **Respondents.**
Through police station Patoda Tq.
Paroda Dist. Beed.
- 2 The Superintendent of Police,
Beed Dist. Beed.

Mr. N. L. Jadhav, Advocate for the Applicants
Mr. A. A. Jakatkar, A.P.P. for the respondents/State

WITH

CRIMINAL APPLICATION NO. 2890 OF 2017

- 1 Prakash Bapurao Kokate, Age 25 ... **Applicants.**
years, Occ. Agriculture, R/o.
Daskhed, Tq. Patoda, District
Beed.
- 2 Bapurao Bhagwan Kokate, Age 55
years, Occ. Agriculture R/o. As
above.

V E R S U S

The State of Maharashtra,
Through police station Patoda Tq.
Paroda Dist. Beed.

Respondent .

Mr. N. L. Jadhav, Advocate for the Applicant
Mr. A. A. Jakatkar, A.P.P. for the respondents/State

CORAM : K.L. WADANE, J.

DATE : 27th JUNE, 2017

ORDER :

1. Present applications are filed by the applicants for anticipatory bail (Criminal Application No.2875/2017) and for regular bail (Criminal Application No. 2890/2017).

2. On 04.05.2017 one Manohar Indrabhan Sarode filed complaint to police station Patoda and alleged that, marriage of his daughter namely Kavita was performed with Prakash (applicant No. 1 in Cri. Application No. 2980/2017). Applicants-accused treated Kavita well for some time and thereafter they started demanding Rs. 3,00,000/- for purchasing vehicle. In the year 2016 the complainant went to the house of the Kavita for Panchami festival. At that time Kavita complained him that the accused were causing cruelty for the demand of Rs. 3,00,000/-.

They beat her and kept her on fast. Thereafter, his daughter resided with him for about six months.

3. It is further alleged by the complainant that, on 02.05.2017 her daughter informed to his brother-in-law Vaijinath Garad on phone that, the accused are demanding the amount and for that purpose they are causing physical and mental torture. On 03.05.2017 complainant received information that Kavita died by jumping into the well.

4. Mr.Jadhav learned counsel appearing for the applicants submits that so far as the regular bail application (Cri. Appln. No. 2890/2017) is concern, the investigation is practically over and now further detention of applicants is not needed.

5. In reference to the anticipatory bail (Cri. Application No. 2875/2017) Mr. Jadhav submits that, the applicant No. 1 Narsing Kokate is residing separately and he is staying at Pune for the purpose of his employment and relied on certain document i.e. Muster-roll. From the said, prima-facie it appears that, the applicant No. 1 Narsing was at Pune at the

relevant time when Kavita committed suicide.

6. In view of the above, I am of the opinion that, further detention of the accused persons in Cri. Application No. 2890/2017 is not needed. The case is made out to grant anticipatory bail to the applicant No. 1 Narsing Bapurao Kokate (in Cri. Application No. 2875/2017). However, the allegations against the mother-in-law of the deceased are specific. She was residing with deceased at the relevant time. In view of the specific allegations and the fact that the applicant No. 2 (in Cri. Application No. 2875/2017) was residing with the deceased, therefore, she is not entitled for anticipatory bail. Hence, following order :

O R D E R.

- i) Criminal Application No. 2875/2017 is partly allowed.
- ii) In the event of arrest of the applicant No. 1 Narsing Bapurao Kokate in connection with Crime No.115 of 2017, registered with Patoda Police Station District Beed, he be released on bail

on his furnishing P.R. bond of Rs.15,000/-
(Rupees fifteen thousand) with one surety in
the like amount.

- iii) The prayer of anticipatory bail in respect of
applicant No. 2 Lata Bapurao Kokate stands
rejected.
- iv) Criminal Application No. 2890/2017 is hereby
allowed.
- v) The applicants shall be released on bail in
connection with Crime No.115 of 2017, registered
with Patoda Police Station District Beed, on
their executing P.R. Bond of Rs. 15,000/- [Rs.
fifteen thousand only] each with one solvent
surety in the like amount.
- vi) The applicants shall not tamper with the
prosecution evidence in any manner and to co-
operate the further investigation.

6 Criminal applications are disposed of.

(K.L. WADANE, J.)

mkd/-