

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 422 OF 2017**

Vinayak Chandrakant Kasture	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Ritesh Thobde for the Applicant

Mr. Y. M. Nakhawa, A.P.P for the Respondent-State

API Mr. Indrajit S. Sonkamble from Valsang Police Station, Solapur Rural is present.

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 12th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 397 of 2016 registered with the Valsang Police Station, Solapur, for the alleged offences punishable under Sections 302 of the Indian Penal Code.

3. Learned Counsel for the applicant states that there is no material to connect the applicant with the alleged offence. He submits that there was no reason for the applicant to do away with the deceased, since they were engaged and were to get married in December. He further submitted that if at all, any offence is made out, it would be a lesser offence and not one under Section 302 of the IPC.

4. Learned A.P.P opposed the application.

5. Perused the papers. The applicant was engaged to Sonali, the daughter of the complainant on 2nd June, 2016 and their wedding was fixed on 22nd December, 2016. According to the prosecution, the applicant would visit the house of the complainant and demand physical relations with her. It is alleged that Sonali refused to establish physical relations and hence, the applicant was annoyed. On the day of the incident, i.e. on 16th October, 2016 at about 12:30 p.m., the applicant came to the complainant's house and took Sonali on his Activa vehicle to Sonali's agricultural field. As Sonali did not return home, family members called the applicant, who told them that Sonali was still in the farm house. According to the

prosecution, the complainant and the family members searched for Sonali in the field and found her body floating in a well in the agricultural field. According to the prosecution, the applicant had assaulted Sonali with a stone and pushed her in the well, as she had refused to establish physical relations with him and as such committed her murder.

6. There are witnesses who have last seen the applicant in the company of the deceased Sonali. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail. The application is rejected. However, the trial is expedited.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.