

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 938 OF 2017

Seema Akash Kharade

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Suhas Deokar i/b Sandeep Dere for Applicant.

Ms. A.A. Takalkar APP for State.

CORAM: A.S. GADKARI, J.

DATE : 14th September 2017.

P.C.

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 179 of 2016 dated 26.3.2016 registered with Pimpri Police Station, District-Pune under Section 364, 302, 201, 120(B) read with 34 of the Indian Penal Code.

2] It is the prosecution case that, deceased Aakash Magar had committed murder of brother of the present applicant and after his release on bail, deceased used to harass the applicant. Due to the same, the applicant along with two other accused persons namely Anil Kharade and

Sunil @ Dongrya Rathod conspired and committed murder of Aakash Magar by taking deceased Aakash Magar to a secluded place at Pimpri-Alandi Road and by assaulting him with an axe. Thereafter with a view to screen the evidence, accused Nos.1 and 2 concealed the dead body of deceased. During the course of investigation, applicant came to be arrested on 26.3.2016. After completion of investigation, police have submitted chargesheet.

3] From a bare perusal of the chargesheet, it appears that except the allegation that the applicant was having motive to commit murder of Aakash Magar, prima facie there is no other evidence on record to connect the present applicant with the crime. It also appears that there are no antecedents at the discredit of the applicant.

4] In view thereof, this Court is of the view that, the applicant can be released on bail.

Hence the following Order:

(i) The applicant be released on bail in CR No. 179 of 2016 registered with Pimpri Police Station, District-Pune on on her furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After her release from the jail, the applicant shall attend

the Pimpri Police Station once in month i.e. on every 1st Monday of the said month between 11.00 a.m. to 2.00 p.m.

(iii) The applicant shall also attend all the dates before the Trial Court.

(iv) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.

(v) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(vi) Criminal Application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)