

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1075 OF 2017**

Dagadu Ganapat Kanhere

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. A. U. Nikam I/b Mr. Aashish Satpute for the Applicant

Mr. S. S. Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 28th JULY, 2017

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 76 of 2017 registered with the Karmala Police Station, Nashik, for the alleged offences punishable under Sections 498A, 306, 323, 504, 34 of the Indian Penal Code.
3. Perused the papers. The complainant-Jayashri Dilip Patil is the mother of the deceased-Nishigandha and the applicant is the husband of Nishigandha. The marriage between the applicant and Nishigandha was solemnized on 25th March, 2016. After marriage, Nishigandha went to

reside with her in-laws. It is alleged that after a few months, the applicant and Nishigandha's in-laws started taunting her, stating that the furniture that was brought during marriage should be changed and money should be given instead. The applicant and co-accused are also alleged to have abused Nishigandha and are alleged to have starved her. Nishigandha is alleged to have disclosed the said fact to her parents, after which, Nishigandha's parents explained to the accused. It is alleged that for some time, the accused behaved properly and thereafter, again started harassing Nishigandha. It is alleged that the accused including the applicant, would mock and ridicule Nishigandha for not bearing a child. According to the complainant, the said fact, was disclosed by Nishigandha to them. On 2nd February, 2017, the complainant received a call from the applicant informing them, that Nishigandha had committed suicide and that her body was seen in a well.

4. It is not in dispute, that the co-accused i.e. in-laws have been enlarged on bail. The allegations against all the applicants are more or less identical. Investigation is complete and charge-sheet is filed. The applicant is in custody since 3rd February, 2017.

5. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
 - (ii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
 - (iii) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
 - (iv) The applicant to cooperate with the conduct of the trial.
6. The application is accordingly disposed of.

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.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.