

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.1097 OF 2017

Bhanudas Vitthal Sangamwar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.R.B.Vijaymane, for the Applicant.

Ms.S.S.Kaushik, A.P.P. for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th MAY, 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.62 of 2017 registered with the Sadar Bazar Police Station, Solapur, for the alleged offences punishable under Section 306 of the Indian Penal Code.
3. Learned Counsel for the applicant submitted that the applicant

has been arrested only on a suspicion and that there is no material to connect the applicant with the alleged offence. He relied on the statement of the deceased dated 30th January, 2017, which is on page 30 of the application. He submitted that the name of the applicant is not even disclosed in the said statement despite the same, the applicant has been arrested.

4. Learned APP does the dispute the fact that the statement dated 30th January, 2017, deceased – Jayshree has not spelt out the name of the applicant. However, the deceased's daughter – Anita has stated that the applicant was harassing her mother, pursuant to which she committed suicide.

5. Perused the papers. The incident in question took place on 30th January, 2017. A perusal of the statement of the deceased – Jayshree dated 30th January, 2017 shows that there was a quarrel between her and her daughter – Anita (Complainant) on some trivial issue. She has stated that when her daughter – Anita went for a bath, she poured kerosene on her person and set herself ablaze. She has stated that on seeing the fire, her

daughter came out and extinguished the fire and brought her to the Civil Hospital. In the last line of the statement she has stated that somebody from the family was troubling her on account of the house. The name of the applicant has not been mentioned in the said statement.

6. *Prima facie* considering the material on record, no offence under Section 306 of the Indian Penal Code is disclosed. Accordingly, 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 furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- ii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;
- iii) The Applicant shall not tamper with the evidence or attempt to

influence the complainant, witnesses or any person concerned with the case;

(iv) The Applicant shall cooperate with the conduct of the trial.

7. The Application is allowed and disposed of in above terms.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

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

(REVATI MOHITE DERE, J.)