

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1333 OF 2017

Kundan Madhukar Mhaskar ..Applicant

Vs.

The State of Maharashtra ..Respondent

WITH
CRIMINAL APPLICATION NO.590 OF 2017
IN
BAIL APPLICATION NO.1333 OF 2017

Mr. Vithal Raghunath Rasal ..Intervener

IN THE MATTER BETWEEN

Mr. Kundan Madhukar Mhaskar ..Applicant

Vs

The State of Maharashtra ..Respondent

Mr. Nitin Sejpai, for the Applicant.

Mr. Kuldeep S. Patil, for Intervenor.

Mr. S. S. Hulke, APP, for the State.

CORAM :- T. V. NALAWADE, J.
DATE :- AUGUST 22, 2017.

P. C.:

The application is filed for bail in C. R. No.I-1 of 2017 registered in Karjat Police Station for the offences punishable under Sections 304(B), 498(A), 323, 34 of the Indian Penal Code.

Both sides are heard. Papers of investigation were made available for perusal of this Court.

2 Crime is registered on the basis of the report given by the uncle of the deceased. The deceased was married to the Applicant in the year 2016. The allegations are made that from the present applicant and relatives, in the past, there was demand of money and according to the Complainant amount of Rs.50,000/- was given to him for purchasing vehicle. In spite of fulfillment of the said demand, the Applicant was not satisfied and he continued to give ill treatment. The allegations are made that on 1.1.2017, the deceased consumed poison and the eye witness and the First Informant were present there and they noticed that relatives of the husband shifted the deceased to the hospital. They shifted her to the hospital where she died due to consumption of poison.

3 The report was given on the same day.

4 The learned APP submitted that there were some ante-mortem injuries on the body. This Court has gone through the postmortem report. Injuries 1 and 2 were ante-mortem but there

was scab formation. The third injury like imprint abrasion was postmortem in nature.

5 Applicant is behind bars since 1st January 2017. In view of the nature of the material collected against the Applicant, this Court holds that it is not desirable to keep the Applicant behind bars till disposal of the case which may be filed against him. In the result the application is allowed. The Applicant is to be released on bail on his furnishing P. B. and S. B. of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or more solvent sureties of the like amount. The Applicant is not to tamper with the prosecution witnesses. He is not to commit similar offences.

6 The intervention application is allowed and disposed of.

(T.V.NALAWADE, J.)