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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1887 OF 2017

Bharatabai Prakash More

..Applicant.

Vs.

The State of Maharashtra

..Respondent

WITH

BAIL APPLICATION NO.1892 OF 2017

Saralabai @ Minakshi Daulat Deore

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Chetan S. Damre for Applicant.

Mr. S.R. Agarkar, APP for State inn ABA-1887/2017.

Mr. Prashant Jadhav, APP for State in ABA 1892/2017.

CORAM: A.S. GADKARI, J.

DATE : 22nd September 2017.

P.C.

1] These applications under Section 439 of Cr. P.C. are for bail in CR No.I-34 of 2017 dated 2.3..2017 registered with Jaykheda Police Station, Taluka Satana, District- Nashik under Sections 304(B), 498(A), 323, 504, 506 r/w 34 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the chargesheet.

3] The applicant/Smt Bharatabai Prakash More is mother-in-law of deceased Smt. Shakuntala and applicant/Saralabai @ Minakshi Daulat Deore is sister of Smt Bharatabai P. More. It is the prosecution case that, deceased Smt. Shakuntala @ Pradnya married with accused No.1-Prashant More. It is the prosecution case that, the accused persons used to demand Rs.1,50,000/- from deceased Smt. Shakuntala for purchase of a vehicle. That on 25.2.2017 at about 6.00 p.m the applicant along with co-accused caused unnatural death of Smt. Shakuntala @ Pradnya and therefore the present crime has been registered. During the course of investigation, the applications are arrested on 29.5.2017. After completion of investigation, police have submitted chargesheet.

4] The record indicates that, initially on 25.2.2017, on receipt of information from the father of deceased namely Mr. Pandit Patil, an Accidental Death report was registered under Section 174 of Cr. P.C. by the Police. That deceased Smt. Shakuntala @ Pradnya expired on 26.2.2017 and the present crime is registered on 2.3.2017 at the instance of father of deceased. In the A.D.R., the first informant did not raise any suspicion against anybody and has stated that while preparing food, due to bursting

of stove deceased Smt. Shakuntala @ Pradnya received burn injuries. However, in the first information report dated 2.3.2017 a complete new version or total improvement has been mentioned by the first informant stating that, as the first informant could not fulfill the demand of applicants and other co-accused, on the date of incident they caused death of Smt. Shakuntala @ Pradnya. The record further indicates that immediately after the said incident i.e. after the said deceased Smt. Shakuntala @ Pradnya caught fire, her husband-Prashant More tried to douse it and in the said process he also received burns on his left hand. The husband Prashant More admitted her to hospital and deceased Smt. Shakuntala @ Pradnya succumbed to injury on 26.2.2017.

5] Prima facie, it appears that apart from the said alleged demand of Rs.1,50,00/- from deceased for purchase of a vehicle, there is no other circumstance propounded against the applicant/Bharatabai P. More. As far as applicant/Saralabai @ Minakshi Daulat Deore is concerned, a general statement is made that she used to instigate applicant/Smt. Bharatabai More for demanding money from the deceased and/or her relatives and apart from the same prima facie there is no other evidence on record against her.

6] In view thereof, this Court is of the view that, both applicants can be released on bail.

Hence the following Order:

(i) The applicant be released on bail in CR No.I-34 of 2017 registered with Jaykheda Police Station, Taluka- Satana, District-Nashik on their furnishing PR bond of Rs.25,000/- each with one or two solvent local sureties in the like amount.

(ii) After their release from jail, the applicants shall attend Jaykheda Police Station once in a month i.e. on every 1st Monday of the month between 11.00 a.m. to 2.00 p.m.

(iii) The applicants 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) Applicants shall not tamper with the evidence and/or influence the prosecution witnesses.

7] Both Applications are allowed in the aforesaid terms.

(A.S. GADKARI,J.)