

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2397 OF 2017

Raju @ Sohan Ramaji Gupta

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Harshad G. Meshram for the applicant.

Ms. J.S. Lohokare, APP for the State.

API M.M. Jadhav, Manpada Police Station.

CORAM: A.M. BADAR, J.

DATED: 30th NOVEMBER 2017

PC:-

1. The applicant/accused in Crime No. I- 287 of 2017 registered with police Station Manpada for the offences punishable under Sections 498-A, 306 r/w 34 of the Indian Penal Code, by this application is seeking his release on bail after filing of the charge-sheet.

2. Heard the learned advocate appearing for the applicant/accused. By drawing my attention to the FIR lodged by the father of the deceased as well as statement of the witnesses, the learned advocate argued that this evidence

is not sufficient to hold that the deceased was subjected to cruelty by the present applicant as well as the co-accused. He also argued that other co-accused are already released on bail and therefore, with some evidence against him, the applicant also needs to be released on bail.

3. The learned APP opposed the application by contending that apart from statement of relatives, statement of neighbours also shows that the present applicant and the co-accused used to subject deceased Neeta to cruelty.

4. I have carefully considered the rival submissions and also perused the charge-sheet. The present applicant is husband of deceased Neeta. He married Neeta on 24.4.2012 and out of this wedlock Anita gave birth to male child named Aryan in the year 2013.

5. According to the prosecution case, the present applicant as well as other co-accused used to subject Neeta physically as

well as mental cruelty by harassing her by coercing her to bring a amount of Rs.1 lakh from her parents for purchasing a shop block. Fed up with this harassment, according to the prosecution case, in the night intervening 13.5.2017 and 14.5.2017, Neeta jumped from the 3rd floor of the building and ultimately she succumbed to injuries on 18.5.2017.

6. The investigation of the crime in question is over. There is nothing tangible to infer that, if released on bail, the applicant would tamper evidence of the prosecution.

7. Considering the nature of offence and the evidence available on record, I see no reason to refuse bail to the present applicant. Therefore, the following order.

ORDER

- i) The application is allowed.
- ii) The applicant/accused in Crime I- 287 of 2017 registered with police Station Manpada for the offences punishable under Sections 498-A, 306 r/w 34 of the Indian Penal Code,

be released on bail on executing her P.R bond of Rs.15,000/- and on furnishing surety in the like amount.

iii) He should not tamper with the prosecution evidence.

iv) The applicant / accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to the Police Officer.

(A.M. BADAR, J)