

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.821/2016

Mankarnabai W/o Tulshiram Munde and others

..Vs..

The State of Maharashtra, through Police Station Officer, Balapur, Distt. Akola

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.R. Agrawal, Advocate for the applicants.
Shri V.R. Thakre, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 9.6.2017.

Heard.

The applicants have sought pre-arrest bail in crime registered against them for the offence punishable under Sections 307 and 143 of the Indian Penal Code. According to the investigating agency, there is dispute regarding land and because of the enmity the applicants attempted to kill the complainant by administering poison. As per the complainant, on the date of incident the applicants entered her house, the applicant Nos.3 and 4 held hands of the complainant and the applicant No.1 forcibly administered poison to her and the applicant Nos.3, 5 and 6 instigated the applicant No.1 to administer the poison.

The application is opposed on the ground that the investigation is yet to be completed and that the

complainant herself is the eye witness.

Admittedly, there is civil dispute between the complainant and the applicants. This Court has granted interim protection to the applicants by order passed on 16th December, 2016. It is not the complaint of the investigating agency that the applicants have misused the interim protection or have not co-operated with the investigating agency. Nothing adverse is reported against the applicants in the last 6 months after they are granted interim protection by this Court. The non-applicant has not been able to point out that custody of the applicants is required for further investigation.

In the above facts, I am of the view that the interim protection granted by this Court is required to be confirmed.

Hence the order passed on 16th December, 2016 granting interim protection to the applicants is confirmed. The application is **allowed** accordingly.

JUDGE