

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO. 2930 OF 2018**

Vineet Dynaneshwar Patil

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. S.P. Kadam I/by P.R. Raul for the Applicant.

Smt. J.S. Lohokare APP, for the Respondent-State.

**CORAM : A. S. GADKARI, J.**

**DATE :29<sup>th</sup> NOVEMBER, 2018.**

**P.C.:-**

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. 53 of 2018 dated 16<sup>th</sup> May, 2018 registered with Mahad City Police Station, District Raigad under Sections 304-B, 498-A, read with Section 34 of the Indian Penal Code now culminated into Sessions Case No.34 of 2018.

2            Heard the learned counsel appearing for the Applicant and the learned APP. Perused the charge sheet.

3            It is the prosecution case in brief that, the Applicant is husband of Mrs. Sheetal Vineet Patil (deceased). Their marriage was solemnized on 6<sup>th</sup> December 2015 as per the Hindu religion. From

September, 2017, the Applicant and the deceased started staying at Park Avenue, Dasturi Naka, Mahad, District Raigad, as the Applicant was employed with Sandoz Company at Mahad. That, on 1<sup>st</sup> March, 2018, the Applicant returned from his duty at about 6.15 p.m. when his wife (deceased) told him that she is not feeling well, and is suffering from giddiness. The Applicant therefore, gave her lemon water, sugar and coconut water. The Applicant thereafter, contacted Dr. Sukale Nursing Home and explained the said symptoms, which were being suffered by the deceased. Dr. Sukale, gave him the prescription of medicines. The Applicant accordingly purchased the said medicines and gave it to his wife. Despite taking medicines, Mrs. Sheetal Patil (deceased) did not get any relief and therefore, the Applicant along with neighbours took her to Mhamunkar Hospital, where the concerned doctor declared her dead before admission.

The first information report is lodged by Shri. Roshan Patil, the brother of the deceased alleging that, the Applicant and his family members used to cause harassment over the demand of dowry to Mrs. Sheetal and therefore, they have committed her murder.

4           In view of the allegations made by the family members of Mrs. Sheetal, the autopsy of Mrs. Sheetal were performed under the

guidance of Forensic Experts at J.J. Hospital, Mumbai. The experts have given opinion, as to the probable cause of death as “*Pulmonary Haemorrhage with cerebropulmonary oedema with interstitial nephritis in a case of consumption of alcohol*”.

During the course of investigation, the Applicant came to be arrested on 26<sup>th</sup> June, 2018 and after completion of investigation, the police have submitted charge sheet.

5           Perusal of charge sheet, *prima facie* indicates that, the chain on circumstances leading to the death of Mrs. Sheetal, is broken, as there is no material available on record to indicate that, it is the Applicant who administered the said Methy Alcohol to deceased Mrs. Sheetal, either orally or through any other procedure in her body, which ultimately caused interstitial nephritis. The allegations, as far as demand of dowry and harassment is concerned, those *prima facie* appears to be general allegations.

In view of the above, Applicant can be released on bail.

Hence, the following order.

- a)     The Applicant be released on bail in CR No. 53 of 2018 dated 16<sup>th</sup> May, 2018 registered with Mahad

City Police Station, District Raigad on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

- b) After his release from Jail, the Applicant shall attend Mahad City Police Station, District Raigad, on every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- c) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6 Application is allowed in the aforesaid terms.

**(A.S. GADKARI, J.)**