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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.2932 OF 2018

Tanaji Kalu More & Anr.

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. A.J. Jaibhave for Applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 10th December 2018.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No.I-116 of 2018 dated 27.6.2018 registered with Nandgaon Police Station, District Nashik under Sections 304A, 498A read with 34 of Indian Penal Code.

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

3] The names of deceased are Mrs. Walayabai @ Radhabai Tanaji More and Mrs. Sakharabai @ Sumanbai Mahadu More who were the wives of applicant Nos.1 and 2 respectively. The date of incident is 26th June 2018 between 2.30 p.m to 3.00 p.m.

It is the prosecution case that, the applicants used to cause undue harassment and cruelty to deceased Mrs.Walyabai More and Mrs. Sakharabai

More, as they did not comply with applicants' demand of dowry. It is alleged that, the applicants in connivance with other family members have caused dowry death of said two women as contemplated under section 304A of Cr.P.C. During the course of investigation, the applicants came to be arrested on 26th June 2018 and after completion of investigation the police have submitted chargesheet.

4] The postmortem reports of the said deceased, submitted by the Superintendent attached to the Rural Hospital, Nadgaon, District Nashik would indicate the probable death of deceased as due to “asphyxia due to drowning”. The panchanama of scene of offence indicates that, the well where the dead bodies of the said two women were found is without parapet wall and was at ground level. The said panchanama mentions that, at the outskirts of the said wall some steel utensils were noticed and inside the well a plastic bucket was found. There were some clothes lying near the well which were washed and were kept for drying on the bushes adjoining to the said well. It appears that, the road leading to said well had become slippery due to rains. It is submitted that, the said ladies might have fallen in the well due to slippery surface of soil.

5] In view of the above, the applicants can be released on bail.

Hence the following Order:-

i] Applicants be released on bail in CR No.I-116 of 2018 registered with Nandgaon Police Station, District Nashik, on their furnishing PR bond of Rs.15,000/- each with one or two local sureties in the like amount.

ii] After their release from jail, the Applicants shall attend Nandgaon Police Station on every 1st Monday of the month between 10.00 a.m to 1.00 p.m and to join the process of investigation till conclusion of trial.

iii] Applicants shall also attend all the dates before the Trial Court without any excuse.

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)