

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

CRIMINAL APPLICATION (BA) NO.10/2018

Sau. Babibai w/o Kailas Chavan

..vs..

State of Mah., thr. P.S.O., P.S. Ansing, District Washim

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

Court's or Judge's Order

Shri A.S. Deshpande, Counsel for the applicant.

Shri V.A. Thakare, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 11, 2018.

1. This is an application for bail.
2. Heard learned counsel Shri A.S. Deshpande for the applicant and learned Additional Public Prosecutor Shri V.A. Thakare for the State.
3. The mother-in-law of complainant Sunita was arrested in connection with Crime No.166 of 2017 registered with Police Station Ansing, Taluka and District Washim for the offences punishable under Sections 307 and 498A read with Section 34 of the Indian Penal Code and, therefore, she is before this Court for enlargement on bail.
4. The incident in question, as per the report lodged by complainant Sunita, is dated 21.8.2017. The first information report is lodged on 28.8.2017. However, the crime was registered

on 29.8.2017.

5. The first information report is lodged by Sunita who was married on 4.5.2017 with Shivchand, son of the present applicant. According to the first information report, there used to be demand of money from Shivchand and the father-in-law of the injured. According to the first information report, on 21.8.2017, the applicant caught hold the hands of Sunita and, thereafter, Shivchand administered some poisonous substance to her.

6. The investigation is already over and the charge-sheet is already filed.

7. In view of the role attributed to the present applicant and the applicant is in jail since 18.9.2017, in my view her further custodial presence is not required. That leads me to pass the following order:

ORDER

(a) The criminal application is allowed.

(b) Applicant Sau. Babibai w/o Kailas Chavan be released on bail on her executing a P.R. Bond in the sum of Rs.25,000/- with two solvent sureties of the like amount in connection with Crime No.166 of 2017 registered with Police Station Ansing, Taluka and District Washim for the offences

.....3/-

**punishable under Sections 307 and 498A read with
Section 34 of the Indian Penal Code.**

**(c) It is made clear that the observations made
in this order are purely for deciding the present
application for bail only and learned Judge of the
Court below, who shall be trying the case, shall not
get influenced by the observations made in this
order.**

**(d) With this, the criminal application is
allowed and disposed of.**

JUDGE

!! BRW !!

...../-