

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

Criminal Application (BA) No. 268 of 2018
Prashant and ors v. State of Maharashtra

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

Court's or Judge's orders

Shri A. J. Thakkar, Advocate for applicants
Shri Harshal Dube, APP for respondent-State

CORAM : S. B. Shukre, J

DATE : 13.4.2018

Heard.

Learned counsel for the applicants, on instructions, seeks leave of the Court to withdraw the application filed by applicants no. 1 and 2 viz. Prakash @ Ramu Narayan Mule and Hanuman Dajiba Mule. Leave is granted. Application of applicants no. 1 and 2 is disposed of as withdrawn.

However, sofar as application of applicant no. 3 Anita @ Sushila Manohar Ranbawale is concerned, I find that the same can be granted. The reason being that, although, the main allegation against her is that she entered criminal conspiracy with applicants no. 1 and 2 to kill her husband, there is no material collected during the course of investigation to prima facie make out this allegation as against her. Her daughter's statement has been recorded. It appears, as of now, that her daughter used to witness only the frequent quarrels that used to take place between applicant no. 3 and her deceased husband who used to suspect her fidelity. Beyond this, there is nothing available on record to say that the allegation of criminal conspiracy made

against applicant no. 3 had any reasonable basis, at least for the present.

In view of the above, applicant no. 3 Anita @ Sushila Manohar Ranbawale is allowed and it is directed that she be released on bail in Crime No. 13/2017 registered with Police Station, Bibi for the offences punishable under Sections 302, 201, and 120-B read with Section 34 of the Indian Penal Code on her furnishing PR Bond of Rs. 30,000/- together with one solvent surety in the like sum, on the following conditions:

(1) Applicant shall regularly attend the trial Court on all dates fixed in the trial and shall cooperate with the trial Court in expeditious disposal of the trial.

(2) Applicant shall not tamper with prosecution witnesses in any manner.

Disposed of.

JUDGE

joshi