

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

**CRIMINAL APPLICATION (BA) 530 OF 2018**

(Vinod s/o. Mahadeorao Dhote..vs..State, PSO, PS Wadki)

-----  
*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

-----  
Shri A.C. Jaltare, counsel for the applicant.  
Shri V.A. Thakre, Additional Public Prosecutor for respondent.

**CORAM: ROHIT B. DEO, J.**

**DATE: 22<sup>nd</sup> June, 2018.**

Heard.

2           The applicant is seeking regular bail in Crime  
215 of 2017 registered at Police Station Wadki for offence  
punishable under section 302 of the Indian Penal Code.

3           The accusation against the applicant is that he  
caused the death of his wife Jyoti by throttling. The  
applicant is in custody since eight months.

4           I have perused the statements recorded and in  
particular the 164 statements of witnesses including the  
daughter of the applicant.

5           According to the daughter of the applicant, she  
was being beaten by her mother – deceased, the mother of  
the accused intervened and she was pushed by the  
deceased. The mother of the deceased fell down which  
prompted the applicant to take the deceased to the hall  
where apparently she was throttled.

6           At this stage, it does appear that the submission  
of the learned counsel Shri A.C. Jaltare that even if the

material is taken on face value, an offence punishable under section 302 of the Indian Penal Code may not be made out, is to a certain extent, well founded.

7           In this view of the matter, considering that the applicant is in custody since eight months and that he has two young daughters to look after, I am inclined to allow the application.

8           The applicant be released on furnishing personal bond of Rs. 15000/- with a solvent surety of like amount.

9           The applicant shall not tamper with the evidence nor shall attempt to influence the witnesses in any manner.

**JUDGE**

*RSB*