

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

CRIMINAL APPLICATION (ABA) NO.672 OF 2018

(MAHADEO HIMMATRAO TAYDE & ANR...VS.. STATE OF MAH. THR. PSO PS URAL, DIST. AKOLA)

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

Court's or Judge's orders

Shri Anand Deshpande, Advocate for Applicants.
Shri T.A.Mirza, A.P.P. for Non-applicant/State.

CORAM : Z.A.HAQ, J.

DATED : OCTOBER 09, 2018.

Heard.

Apprehending arrest in connection with Crime No.189 of 2018 registered by the non-applicant against 6 accused (including the applicants) for the offences punishable under Sections 498-A, 294, 506, 507 read with Section 34 of the Indian Penal Code and Section 3(1)(2) of the Maharashtra Prevention and Eradication of Human Sacrifice and other inhuman Evil and Aghori Practices and Black Magic Act 2013, the applicant seeks pre-arrest bail.

The crime is registered on the complaint lodged by Sau. Pooja Tayade (wife of brother of the applicant No.1). The applicant No.2 is wife of applicant No.1. The accusations against the accused are that they tortured the complainant asking her to bring money from her parents and practiced witchcraft on her. The learned Sessions Judge has recorded that medical report produced by the Investigating Agency shows injuries on the person of the complainant.

The learned advocate for the applicants has submitted that the applicants are husband and wife and they

are residing separately. It is further argued that the Investigating Agency has not been able to point out that any overt act is attributed to the applicants.

Be that as it may, considering the fact that any other crime/ offence is not registered against the applicants and as I find that the non-applicant has not been able to point out that the custodial interrogation of the applicants is necessary, following order is passed:

In the event of arrest in connection with Crime No.189 of 2018, registered by the non-applicant, the applicants be released on bail on executing P.R. Bond for Rs.Twenty Thousand each and furnishing one solvent surety in the like amount for each of the applicant.

The application is **allowed** accordingly.

JUDGE

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