

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

CRIMINAL APPLICATION (BA) NO.870 OF 2018

(SUGRABI Wd/o. SK. RAUFVS.. STATE OF MAH. THR. PSO PS BALAPUR, 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 A. Ananthakrishnan, Adv h/f. Shri R. Vyas, Advocate for Applicant.
Shri M.K.Pathan, A.P.P. for Respondent/State.

CORAM : Z.A.HAQ, J.

DATED : OCTOBER 06, 2018.

Heard.

The applicant is arrested on 2nd August, 2018 in connection with Crime/ FIR No.322 of 2018 registered by the non-applicant against four accused (including the applicant) for the offence punishable under Sections 302, 120-B and 34 of the Indian Penal Code.

The First Information Report is registered on the complaint lodged by Digambar Dutonde that his nephew Amol (aged about 22 years) is assaulted by the co-accused with knife and at the time of assault, the applicant was holding the hands of Amol. Amol succumbed to the injuries suffered by him in the assault. According to the Investigating Agency, there was a dispute going on between the accused and Amol because of the earlier incident in which a cow of the co-accused Rahim Pathan sustained injuries to its leg.

The application is opposed on the ground that the investigation is still in progress and there is *prima-facie* material showing involvement of the applicant in the crime.

Considering the fact that the applicant is a woman aged about 62 years and accepting the submission made on her behalf that she is not involved in any other crime/offence and as the Investigating Agency has not been able to substantiate that further custody of the applicant is necessary for investigation, following order is passed:

The applicant, having been arrested in connection with Crime No.322 of 2018 registered by the non-applicant, she be released on bail on depositing cash security of Rs.One Lakh and furnishing two solvent sureties for Rs.Twenty Thousand each.

The amount of cash security, on its deposit, will be treated as Muddemal property and orders regarding its disbursement shall be passed by the Sessions Court at appropriate stage, preferably at the conclusion of the trial.

The application is **allowed** in the above terms.

CRI.APPLN.NO.1610/2018.

In view disposal of the bail application, the instant application praying for dispensing with affidavit of relatives, certified copy of order and typed copy of FIR does not survive, hence, it is **disposed**.

JUDGE