

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

CRIMINAL APPLICATION (ABA) NO.705/2018

Sau. Sangita Dilip Rathod

..Vs..

State of Maharashtra, through P.S.O., P.S. Umarkhed, Tah. Umarkhed, Distt.
Yavatmal

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

Court's or Judge's orders

Shri V.N. Patre, Advocate for the applicant.
Shri S.S. Doifode, A.P.P. for the respondent.

CORAM : Z.A. HAQ, J.

DATE : 5.10.2018.

Heard.

Apprehending arrest in connection with Crime No.428/2018 registered by the non-applicant against the applicant, her husband, brother of applicant's husband and mother-in-law of applicant for the offence punishable under Section 304 read with Section 34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, the applicant seeks pre-arrest bail.

According to the investigation agency, Ambika (wife of brother of applicant's husband) died within three months of marriage, cause being consumption of poison. The application is opposed on the ground that the applicant and her husband were torturing Ambika and pressurizing her to bring dowry

and vehicle from her parents. It is submitted that the investigation is in progress. It is further pointed on behalf of the investigation agency that because of death of Ambika within three months of marriage, the atmosphere of village is very hostile and if the applicant and other co-accused are released on bail, some untoward incident may occur.

The learned Advocate for the applicant has pointed out that mother-in-law of applicant is granted pre-arrest bail.

Considering the fact that the applicant is a woman, aged about about 25 years, and she claims to be a housewife and has stated that she is not involved in any other crime / offence and recording her undertaking that she will co-operate with the investigating agency, following order is passed:

In the event of arrest in connection with Crime No.428/2018 registered by the non-applicant, the applicant be released on bail on executing P.R. bond for Rs.20,000/- (Twenty Thousand) and furnishing two solvent sureties in the like amount. The application is **allowed** accordingly.

JUDGE