

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3078 OF 2019

Ranjana Shivaji Burungale, Age 36 years, Occ.Household, R/o.Ambakphata, Tal.Kadegaon, District Sangli. (Presently lodged in Jail)	Applicant
versus	
The State of Maharashtra	Respondent

Ms.Tanvi G. Tapkire for applicant.
Smt.A.A.Takalkar, APP, for State.
Mr.Santosh D. Gosavi, API, Chinchani Wangi Police Station, Sangli
present.

CORAM : PRAKASH D. NAIK, J.

DATE : 13th December 2019

PC :

1. The applicant is arrested on 22nd September 2019 in connection with CR.103 of of 2019 registered with Chinchani Wangi Police Station for offences under Sections 302, 201, 203, 120B r/w 34 of Indian Penal Code.

2. The prosecution case is that the FIR was lodged by the brother-in-law of the applicant. They live in a joint family. The deceased is the husband of applicant. The first informant and his deceased brother Shivaji were running a hotel business together. The deceased was addicted to alcohol and he had allegedly attempted to molest his daughter. There were frequent quarrels between the deceased and the applicant. The deceased was not attending hotel business. On 20th September 2019 the deceased took motorcycle and went to

Kadegaon. The brother-in-law of the applicant received information that his brother has met with an accident near Dongarai Temple on Kadegaon-Tadsar road and he had sustained injuries. He is admitted in hospital. On receiving the information the first informant went to the hospital and after the treatment to his brother he was brought home. The deceased had sustained injury on his head and had bandages around his head and chin. It is alleged that the deceased was kept in bed room when the first informant left the deceased where the applicant and her daughter were present. The applicant then called the informant stating that Shivaji was bleeding heavily from his head injury. The informant noticed that there was severe bleeding and hence the deceased was taken to hospital where he was declared dead. It is further alleged that the applicant has confessed that she has killed her husband on account of frequent quarrels and on account of his conduct. The applicant was arrested and was produced before the competent Court for remand. She was remanded to police custody.

3. During the course of investigation it was revealed that the first informant is involved in the crime. He was impleaded as an accused. The manager of hotel was also impleaded as accused. In the remand application dated 24th September 2019 they were arraigned as accused nos.2 and 3. The prosecution case now proceeds on the footing that accused nos.2 and 3 were instrumental in killing the deceased. The statement of applicant was recorded u/s 164 of Cr.PC in which she has stated that her brother-in-law (first informant) who has now been impleaded as an accused, has induced her to confess to the killing. During the course of investigation the statement of the compounder of hospital namely Dilawar Shaikh has been recorded in which he has stated that the deceased had informed him during the

treatment in the hospital that he was assaulted by accused no.2 and he wants to file a complaint against him.

4. The applicant is lady having three children. On account of turn of events and change in the trend of the prosecution case, she cannot be further detained in custody. She has three children aged between 14 and 17 years. She is presently in judicial custody. Case for grant of bail is made out.

5. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.3078 of 2019 is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in connection with CR No.103 of 2019 registered with Chinchani Wangi Police Station, District Sangli, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend Chinchani Wangi Police Station as and when called for till filing of charge sheet;
- (iv) The applicant shall not tamper with evidence.

(PRAKASH D. NAIK, J.)

MST