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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 3276 OF 2018**

Rupali Arun Ghadge

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

WITH**CRIMINAL APPLICATION NO. 322 OF 2019**

Prahlad Maruti Ghadge

....Intervener

IN THE MATTER BETWEEN

Rupali Arun Ghadge

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Sanjay Shinde for the applicant

Mr. S. H. Yadav APP for the State

Mr. Mahindra Deshmukh for intervener

CORAM : NITIN W. SAMBRE, J.**DATE : MARCH 1, 2019.****P.C.**

Applicant is seeking regular bail in Crime No. 223/2018

registered with Vita Police Station, Dist. Sangli for offence punishable under Section 302 of the Indian Penal Code.

2 Application to assist the prosecution is allowed.

3 The prosecution case is, applicant alongwith co-accused hatched a conspiracy and murdered her own husband as she was in extra marital relation with accused no. 1.

4 The prosecution who is assisted by the complainant has relied upon the statement of witnesses namely Abhijit Ghadge, call details between the applicant and accused no. 1.

5 The fact remains that case of the applicant is based on circumstantial evidence. No incriminating material is recovered from the applicant apart from the fact that there are no overt act attributed to the applicant in the direct commission of the crime in question. Though call details are sought to be relied upon for rejection of application for bail, there is no incriminating material to

infer that the applicant was using the said mobile phone.

6 In the aforesaid background, in my opinion, case for grant of bail is made out.

(A) Applicant be released on bail in Crime No. 223/2018 registered with Vita Police Station, Dist. Sangli on executing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(B) Till the conclusion of trial, applicant shall remain outside the jurisdiction of Vita Police Station, Dist. Sangli.

(C) Applicant shall not influence witnesses or tamper with evidence.

7 Application stands disposed of.

[NITIN W. SAMBRE, J.]