

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 210 OF 2019**

Shobha Ramdas Patil @ Sneha	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Bhaskar J. Sarwade for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

API Mr. Santosh Narute from Shivaji Nagar Police Station, Mumbai, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 5th JULY 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 235 of 2018 registered with the Shivaji Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 302, 201 r/w 34 of the Indian Penal Code.

3 Perused the papers. According to the prosecution, the applicant along with co-accused-Babu committed the murder of Hansa

Gohil on 11th May 2018, by strangulating her. It is alleged that the motive was money. It is further alleged that the applicant along with co-accused-Babu destroyed the dead body by packing it up in a gunny bag and then in a plastic drum and thereafter transporting the same in different vehicles and thereafter, keeping the same at Natwar Parekh Compound, with the intent of destroy the evidence.

4 The prosecution case rests entirely on circumstantial evidence. Admittedly, the CCTV footage does not show that the applicant was present at the spot, where the dead body was found. The evidence of last seen i.e. the evidence of witnesses-Shakulabai and Meenakshi also does not, in any way, further the prosecution case. Recovery of Rs. 20,000/- from the applicant's son's house is also *prima facie*, suspicious.

5 Considering the aforesaid and the fact that the applicant is a lady, the application is allowed and the applicant is enlarged on bail, on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount;
- (ii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iii) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (iv) The applicant to cooperate with the conduct of the trial.

6 The application is accordingly disposed of.

7 It is made clear that the observations made herein are *prima*

facie, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.