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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 2535 OF 2018

Rani Sharad SalveApplicant

V/s.

The State of MaharashtraRespondent

**WITH
CRIMINAL BAIL APPLICATION 2421 OF 2018**

Anil Balu TatheApplicant

V/s.

The State of MaharashtraRespondent

Mr. Aniket Nikam i/b Mr. Aashish Satpute for the applicant in BA 2535/2018

Mr. Rameshwar N. Gite for the applicant in BA 2535/18

Smt. J. S. Lohokare APP for the State

Mr. S. D. Bidgar, Aadgaon Police Station, Nashik City

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 14, 2019.

P.C.

Heard the learned counsel for the applicant and the learned
APP.

2 On September 23, 2017, both the applicants were arrested in Crime No. 188/2017 registered with Aadgaon Police Station, Nashik for offence punishable under sections 302, 201, 120(B) of Indian Penal Code pursuant to a complaint lodged by one Garibdas alleging murder of his son namely Sharad, married to applicant Rani.

3 The prosecution case is both these applicants had extra marital relations and as such hatched conspiracy and murdered Sharad.

4 The case is based on circumstantial evidence viz. discovery of the spot and the mobile conversation.

5 Even if from the mobile conversation a conspiracy could be inferred, there is no material on the record to infer the satisfaction of ingredients of Section 302 of the Indian Penal Code. That being so, applicants deserve to be released on bail.

(A) Applicants be released on bail in Crime No. 188/2017 registered with Aadgaon Police Station, Nashik on executing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount.

(B) Applicants shall not influence witnesses or tamper with evidence.

(C) Till framing of charge, applicants shall remain outside the jurisdiction of Aadgaon Police Station but for attending the trial.

6 Applications stand disposed of.

[NITIN W. SAMBRE, J.]