

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

CRIMINAL APPLICATION (BA) NO.232/2019

Bharat s/o Shripad Gulande

..VS..

State of Mah., thr. PSO Mangrulpir, District Washim

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

Court's or Judge's Order

.....
Shri Amit Band, Counsel for the applicant.
Shri A.R.Chutke, Addl.P.P. for the State.

CORAM : M.G.GIRATKAR, J.

DATED : MARCH 27, 2019.

1. Heard learned counsel Shri Amit Band for the applicant and learned Additional Public Prosecutor Shri A.R.Chutke for the State.

2. Learned counsel Shri Amit Band for the applicant submits that the applicant is cousin father-in-law of husband of deceased. First Information Report does not disclose any abetment on the part of the present applicant. Hence, offences under Sections 304 and 306 of the Indian Penal Code are not attracted. Hence, he prays for grant of bail in favour of the applicant.

3. Learned Additional Public Prosecutor Shri A.R.Chutke for the State strongly objecting the present application submits that the mother of deceased told her daughter that applicant used to instigate husband of

deceased to torture her. Therefore, application of the applicant is liable to be rejected.

4. The applicant is arrested on 17.2.2019.

5. Main allegations in the report are against husband and his family members. Only allegation against the applicant is that deceased used to tell that applicant/cousin father-in-law used to instigate her husband. But, the same is not mentioned in the report. No specific incident is stated that applicant instigated the husband of deceased to give torture.

6. In such circumstances, the applicant is entitled for grant of bail. Hence, following order is passed:

ORDER

(i) The criminal application is allowed.

(ii) Applicant be released on bail on he executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall not tamper with evidence of prosecution witnesses.

(iv) The applicant shall attend the trial Court on each and every date.

(v) The applicant shall not leave the jurisdiction of trial Court without prior permission.

.....3/-

(vi) With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

...../-