

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 BAIL APPLICATION NO.1182 OF 2020

HANUMANT KASHINATH MUNDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Kedar Shrimant R
APP for Respondents: Mr. A.S. Shinde
.....

CORAM : V. K. JADHAV, J.
DATED : 21st OCTOBER, 2020

PER COURT:-

1. The applicant is seeking bail in connection with crime No. 121 of 2020 registered with Wadwani police station, District Beed for the offences punishable under Sections 498-A, 307, 323, 504, 506 r.w. 34 of I.P.C. His Misc. Criminal application bearing No. 320 of 2020 with similar prayer came to be rejected by the learned Additional Sessions Judge, Majalgaon vide order dated 25.9.2020.

2. Learned counsel for the applicant submits that investigation is almost over for all practical purposes and formality of filing charge sheet is only remained. Learned counsel submits that though the alleged incident had taken place on 31.5.2020, however, as per the printed form of F.I.R., the crime came to be registered on 6.6.2020. Learned counsel submits that relation between the informant, who happened to be wife of the applicant and the applicant became strained due to various reasons. Though the informant has made certain allegations about pouring petrol on her person and an attempt has been made to set her on fire, and though the cousin mother in laws of the informant viz. Kamlabai and

Sattubai referred as eye witnesses to the incident, however, they have not supported the allegations made by the informant. They have only stated about the quarrel that has taken place between the informant and the applicant. Learned counsel submits that the applicant is in jail since 28.8.2020 in connection with the present crime and his further detention is uncalled for. The applicant is having a fixed place of residence. He is ready to abide the conditions and is also ready to extend co-operation for further investigation into the crime, if any. The applicant may be released on bail.

3. Learned A.P.P. has strongly resisted the application on the ground that the investigation is still going on. There are serious allegations against the applicant. The other family members of the applicant caught hold of the informant and the present applicant has poured petrol from one bisleri bottle on the person of informant and thereafter all family members made an attempt to set her on fire. Though the anticipatory bail application filed by the applicant came to be rejected, however, the applicant remained absconding for a considerable period. Prima facie, there is strong case against the applicant. The application may be rejected.

4. On going through the allegations made in the complaint and on perusal of the investigation papers, it appears that the investigation is almost over for all practical purposes and the formality of filing charge sheet is only remained. Though the informant has referred her cousin

mother in laws viz. Kamalbai and Sattubai as witnesses to the incident, however, they have not supported the allegations so far as pouring of petrol on the person of the informant and an attempt to set her on fire by the applicant and his family members. There is no criminal history. The incident had taken place out of matrimonial discord. Thus, considering the entire aspects of the case I am inclined to grant bail to applicant on certain conditions. Hence the following order:-

O R D E R

- I. Application is hereby allowed.
- II. The applicant Hanumant Kashinath Munde, in connection with crime No. 121 of 2020 registered with Wadwani police station, District Beed for the offences punishable under Sections 498-A, 307, 323, 504, 506 r.w. 34 of I.P.C. be released on bail on furnishing personal bond of Rs.15,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence in any manner.
 - b) The applicant shall attend the concerned police station once in a week i.e. on every Sunday between 8.00 a.m. to 11.00 a.m. till filing of charge sheet.
- III. Application is disposed of.

(V. K. JADHAV, J.)