

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 BAIL APPLICATION NO. 1246 OF 2020
WITH APPLN/1930/2020 IN BA/1246/2020

1. VIKRAM @ LAXMAN DADASAHEB GORE
2. APPASAHEB DADASAHEB GORE
VERSUS
STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Jadhav Satej S.
APP for Respondent-State : Mr. N. T. Bhagat
Advocate to assist APP : Mr. M. K. Bhosale

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CORAM : V. K. JADHAV, J.
DATED : 03RD DECEMBER, 2020

PER COURT :-

1. Heard learned counsel for the applicant in Criminal Application No. 1930 of 2020. For the reasons stated in the application, the applicant is permitted to assist the APP. Criminal Application No. 1930 of 2020 is accordingly disposed off.

2. I have heard learned counsel for the applicants in Bail Application No. 1246 of 2020 for some time. Learned counsel for the applicants, on instructions, seeks leave to withdraw the application of applicant no.1 VIKRAM @

vre/-

LAXMAN DADASAHEB GORE with liberty to the applicant to file an application before the Sessions Court after filing of charge sheet. Leave granted. The application of applicant no.1 VIKRAM @ LAXMAN DADASAHEB GORE is disposed of as withdrawn with liberty to file an application before the Sessions Court after filing of charge sheet.

3. Applicant no.2 APPASAHEB DADASAHEB GORE is seeking regular bail in connection with Crime No. 661 of 2020 registered with Pathardi Police Station, District Ahmednagar for the offence punishable under sections 304-B, 498-A, 323, 504 506 r/w 34 of IPC. His application with similar prayer bearing Criminal (Bail) M.A. No. 1129 of 2020 came to be rejected by the Additional Sessions Judge, Ahmednagar vide order dated 09.10.2020.

4. Learned counsel for the applicant submits that the allegations have been maid mainly against the co-accused persons and general allegations seems to have been made against the present applicant no.2. Learned counsel submits that the applicant no.2 is the brother-in-law of the deceased.

vre/-

On one occasion, he had asked for the lunch tiffin from the deceased and since the lunch tiffin was not ready, the applicant no.2 allegedly scolded the deceased. Learned counsel submits that the applicant no.2 is ready to abide the conditions, if imposed by this Court. The applicant no.2 may be released on bail.

5. Learned APP assisted learned counsel Mr. M. K. Bhosale has strongly resisted the application on the ground that the investigation is still in progress. Learned APP submits that the deceased died within eight months and some odd days from the date of marriage. The deceased had gone to her relatives from the parents' side and committed suicide. Learned counsel submits that there are allegations about demand of cash amount and the deceased was subjected to ill-treatment on account of non-fulfillment of the said demand. Learned APP submits that the application may be rejected.

vre/-

6. On going through the allegations made in the complaint and on perusal of the investigation papers, it appears that though name of applicant no.2 has been referred in the complaint, general allegations have been made against him and no specific instance has been quoted in the complaint, nor it has been revealed during the investigation so far. It has only transpired that on one occasion applicant no.2 had asked for lunch tiffin and since the same was not ready, he scolded the deceased. The applicant is a young person of 22 years of age. Thus, by imposing certain conditions, I am inclined to release the applicant on bail. Hence, following order.

O R D E R

I. The application of applicant no. 2 APPASAHEB DADASAHEB GORE is hereby allowed.

II. The applicant no.2 APPASAHEB DADASAHEB GORE be released on bail in connection with Crime No. 661 of 2020 registered with Pathardi Police Station, District Ahmednagar for the offence punishable under sections 304-vre/-

B, 498-A, 323, 504 506 r/w 34 of IPC, on his furnishing P.B. of Rs.20,000/- with one solvent surety of the like amount on the following conditions :-

a] The applicant shall not tamper with the prosecution evidence in any manner.

b] The applicant attend the concerned police station once in a week i.e. on every Sunday between 08.00 a.m. to 11.00 a.m. till filing of the chargesheet.

III. Application is accordingly disposed of.

(V. K. JADHAV, J.)

vre/-