

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

**CRIMINAL BAIL APPLICATION NO. 429 OF 2020**

Komal Shivram Mandarai ...Applicant

Versus

The State of Maharashtra ...Respondent

**WITH  
CRIMINAL BAIL APPLICATION NO. 640 OF 2020**

Gendabai Komal Mandarai ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Prakashbhai H. Israni, Advocate for the Applicant.

Mr. H. J. Dedhia, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 11<sup>th</sup> MARCH, 2020**

**PC :**

1. The applicants are seeking bail in connection with C.R. No. I-398 of 2019 registered with Manpada Police Station, for offences punishable under Sections, 304B, 306, 498(A), 323, 352, 504 & 506 r/w. Section 34 of Indian Penal Code (for short “IPC”) and Section 3, 4 & 6 of Dowry Prohibition Act. The applicant in Bail Application No. 429 of 2020 was arrested on 6<sup>th</sup> August, 2019, whereas the applicant in Bail Application No. 640 of 2020 was arrested on

15<sup>th</sup> July, 2019. The applicants are father-in-law & mother-in-law of the deceased.

2. The brother-in-law of the deceased Vinod Komal Mandarai was arrested and he has been granted bail by the Sessions Court vide order dated 31<sup>st</sup> July, 2019. The wife of the brother-in-law was granted anticipatory bail by the Sessions Court by order dated 25<sup>th</sup> June, 2019. The case of the prosecution is that the informant is the mother of the deceased. The marriage of deceased was solemnized with Manoj on 29<sup>th</sup> April, 2019. The victim committed suicide on 6<sup>th</sup> June, 2019 by jumping from the terrace of the building. On 6<sup>th</sup> June, 2019 at about 7.45 p.m. informant's husband received phone call of the deceased's brother-in-law informing him that the deceased had jumped from the terrace of the building and she is taken to Rukminibai Hospital. Informant alongwith her husband went to Rukminibai Hospital at Kalyan. Their daughter was lying dead. Informant lodged report to police alleging that since the time of marriage of deceased till 06<sup>th</sup> June 2019, husband Manoj, father-in-law Komal Mandrai, mother-in-law Gendabai Mandrai, brother-in-law Vinod Mandrai and his wife Kantibai Mandrai had abused and assaulted the deceased in order to force her to bring money for new house purchased by them. Due mental and physical cruelty the deceased committed suicide by jumping from the terrace of building.

On the report of informant aforesaid crime is registered.

3. Learned advocate for the applicant submitted that the applicants are in custody from the date of arrest. Investigation is completed and the charge-sheet is filed. The allegations are not specific. There is no previous complaint. There are no criminal antecedents against the applicant. The co-accused Vinod was attributed similar role of assaulting and ill treating deceased, has been granted bail by the Sessions Court. The accused had already purchased house. The allegations are concocted.

4. Learned APP submitted that specific role has been attributed to the applicants. The applicant in Bail Application No. 64 of 2020 was demanding money for the house. It is submitted that the victim was pregnant at the time of the incident. On account of harassment caused to her, she was compelled to commit suicide.

5. I have perused the charge-sheet. The complainant has alleged that the accused used to harass the deceased. The co-accused Vinod Mandrai has been granted bail by the Sessions Court. He was attributed similar role. The applicants are in custody from July 2019 and August, 2019. Investigation completed and charge-sheet is filed. Considering these circumstances further detention of the applicant is not called for.

6. Hence, I pass the following order :

**ORDER**

- i) Bail Application Nos. 429 of 2020 and 640 of 2020 are allowed;
- ii) The applicants are directed to be released on bail in connection with C.R. No. I-398 of 2019 registered with Manpada Police Station on furnishing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount;
- iii) The applicant shall report Manpada police station once in a month on every first Saturday between 11.00 am. to 1.00 pm. till further order.
- iv) Applications stand disposed of accordingly.

**(PRAKASH D. NAIK, J.)**