

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2856 OF 2019

1. Rajaram Vishnu Pagar
2. Suman Rajaram Pagar
3. Bharti Dagaji Ahire

...Applicants

Versus

The State of Maharashtra

...Respondent

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Mr. Jayendra D. Khairnat i/b Mr. Devendra D. Pawar, Advocate for
the Applicants.

Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 5th MARCH, 2020

PC :

1. The applicants are apprehending arrest in C.R. No. 128 of 2019 registered with Malegaon Camp Police Station, Dist. Nashik (Rural) for offences punishable under Sections 498-A, 306, 323, 504 & 506 of Indian Penal Code.

2. Informant's daughter was married to son of applicant nos. 1 and 2. Applicant no.3 herein is sister-in-law of informant's daughter. The accusations against the applicants are that the daughter of informant was suffering from mental torture on account of extra marital affair of son of applicant nos. 1 and 2. Even the applicant nos. 1 and 2 refused to persuade their son. The accusation against

applicant no.3 is that she used to instigate her brother and provoke him to beat informant's daughter.

3. On careful reading of the contents of the the FIR, it would show that generalized accusations are made against the present applicants. Except that nothing is forthcoming against them.

4. The husband of the victim was arrested and he has been granted regular bail by the learned Additional Sessions Judge-1 Malegaon vide order dated 7th January, 2020. While granting bail the learned Judge has observed that from the statement of the daughter of the deceased, it appears that there was quarrel on account of purchasing new Activa Moped. She appears to be eye witness to the incident. Nothing incriminating against the said accused was brought from her statement. Allegations of demand of money in FIR appears to be an omnibus.

5. The applicants were granted interim protection by this Court vide order dated 30th December, 2019. Considering the aforesaid circumstances interim protection granted by this Court deserves to be confirmed.

6. Hence, I pass the following order :

ORDER

- i) Anticipatory Bail Application No. 2856 of 2019 is allowed;
- ii) In the event of arrest of applicants in C.R. No. 128 of 2019 registered with Malegaon Camp Police Station, Dist. Nashik (Rural) the applicants be released on bail on furnishing P. R. & Security Bond in the sum of 25000/-, each.
- iii) The applicant shall make themselves available for interrogation by Investigating Officer as and when required till filing of charge-sheet.
- iv) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)