

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.961 OF 2020

Najmabi Shaikh Sharif,
Age : 49 years, Occu. Household,
R/o Valimamu Dargah, Jalna,
Tq. and District Jalna

APPLICANT

VERSUS

The State of Maharashtra,
through the Police Officer,
Sadar Bazar Police Station,
Jalna, Tq. & Dist. Jalna

RESPONDENT

Mr. P.P. More, Advocate for the applicant
Mr. V.S. Badakh, A.P.P. for the respondent/State

CORAM : MANGESH S. PATIL, J.

DATE : 25.01.2021

PER COURT :

In this application under Section 438 of the Code of Criminal Procedure, the mother-in-law of the deceased is seeking bail in the event of her arrest in connection with causing her death under suspicious circumstances, registered as Crime No.519 of 2020 with Sadar Bazar Police Station, Jalna, District Jalna for the offences punishable under Sections 304-B, 498-A, 323 read with Section 34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

2. After having heard both the sides for a while, it transpires that the deceased was married in the month of June and committed suicide in the month of August of the same year. It is being alleged that within eight days of her marriage, she was subjected to cruelty. There was demand for dowry. She was being illtreated and fed-up with the plight, she committed suicide by consuming acid.

3. The investigation has already been completed after the husband, father-in-law and brother-in-law were arrested. Even the sister-in-law of the deceased has been granted anticipatory bail by the Sessions Court.

4. Going by the allegations, the period is so short and the role attributable to all the accused being one and the same, one cannot decipher any specific role attributable to the applicant alone so as to implicate her for the offences.

5. The applicant is a woman. She has already been protected by way of ad-interim relief granted by the order dated 23.10.2020. There are no allegations about she having breached the terms and conditions subject to which she was granted interim relief.

6. Considering the entire scenario, this is a fit case to confirm ad-interim relief.

7. The application is allowed. The ad-interim anticipatory bail granted by the order dated 23.10.2020 stands confirmed with the same terms and conditions.

[MANGESH S. PATIL]
JUDGE

npj/ABA961-2020