

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO. 916/2020  
(Devanand s/o Ganesh Burade vs. State of Maharashtra : Th. PSO PS  
Nandgaon Khandeshwar , Dist. Amravati )

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
of directions and Registrar's orders

Court's or Judge's order

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Mr. PR. Agrawal, Advocate for the applicant  
Ms. Nivedita Mehta, APP for respondent-State

**CORAM : MRS.SWAPNA JOSHI, J.**

**DATED : 11<sup>th</sup> February, 2021**

1. The applicant has filed the present Application u/s 439 of the Cr.P.C. seeking bail, for offence punishable under Section 302 and 201 of the Indian Penal Code registered at Police Station Nandgaon-Khandeshwar, Dist. Amravati, in respect of Crime No. 111/2020.

2. I have heard learned counsel for the respective parties. Perused the case papers.

3. The prosecution case in brief is that the applicant himself lodged the report in respect of death of his wife. It is alleged that there was quarrel between them on the previous night and, in the morning, she was found to be dead, by hanging.

4. Learned Advocate for the applicant contended that the applicant is innocent and most probably the wife might have committed suicide.

5. Learned APP opposed the Application rather vociferously, contending that the deceased was having an illicit relationship with one person and on that count, there used to be

quarrels between the husband and wife which resulted into the present incident. He submitted that burnt material of nylon rope was found at the place of the incident, which was taken charge. Apart from this, there is no evidence against the applicant.

6. After hearing both sides and on a perusal of the case-papers and the reply filed by the prosecution and the *prima facie* evidence on record and since the investigation is almost over and the charge-sheet has been filed, I am of the opinion that the applicant can be released on bail by imposing certain conditions . Hence the order :-

**ORDER:**

The applicant-Devanand Ganesh Burade, be released on bail for offence punishable u/ss. 302 and 201 of the Indian Penal Code registered at Police Station Nandgaon-Khandeshwar Dist. Amravati, in respect of Crime No. 111/2020, on his executing a PR bond in the sum of Rs. 30,000/- (rupees thirty thousand) with one or two solvent sureties in the like amount, on the following conditions :-

- (i) He shall attend the concerned Police Station, on every 1<sup>st</sup> and 3<sup>rd</sup> Saturday of each month, between 11.00 and 2.00 pm, till the trial commences.
- (ii) He shall provide his residential address and cellphone number to the concerned Investigating Officer and shall not change the same without prior intimation to the Investigating Officer.
- (iii) He shall not tamper with the prosecution witnesses in any manner.

(iv) He shall keep himself away from the limits of area where the complainant and other witnesses are residing.

(v) Two consecutive absence without reasonable cause will entail the prosecution to move for cancellation of bail.

(vi) Any observations made in this order are only for granting bail to the applicant and it shall not come in the way of the trial Court, during trial.

Criminal Application stands disposed of.

**JUDGE**

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