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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.325 OF 2021

**AMBIKA DADASAHEB GORE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Jadhav Satej S
APP for Respondent/State : Mr. K.S. Patil

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CORAM : S.G. MEHARE, J.

DATED : 28th JULY, 2022

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. Learned counsel for the applicants would submit that the applicants are the in laws of the deceased. She was missing hence, the missing report was lodged; however, the dead body of the deceased was found in the well of one Vithu Mule. The deceased was suffering from Central Pain Syndrome. Since the marriage, the applicants and her husbands were giving treatment to her. She had the constant pain. The treatment going on to the deceased was known to her parents. Since she had constant pain, she always seems to be disturbed. He has also referred to the missing report dated 23.08.2020. The deceased was missing from four days before her body discovered in the well. The parents of the deceased were informed that the deceased is missing. The family of the applicants

were continuously searching the deceased, but they did not find her and unfortunately, her dead body was found in a well. However, a report has been lodged on 01.09.2020 making false allegations of demand of dowry and ill-treatment. The husband of the deceased was arrested and released on regular bail. Therefore, considering the facts of the case, the custodial interrogation of the applicants may not be essential.

3. Learned APP has strongly opposed the application and submitted that there are specific allegations of demand of dowry for purchasing the centering material and ill-treating her for non complying with the unlawful demands of the applicants. Specific allegations have also been levelled against the applicants that they were also ill-treating and harassing the deceased. The offence is serious. Therefore, the custodial interrogation of the applicants is essential.

4. Perused the FIR and the papers placed on record. The case of the applicants is supported with the documents like medical certificate and missing report. Though she was suffering for Central Pain Syndrome, the applicants' family did not refused her. On the contrary, they were providing her medical treatment. Be that as it may, considering the prosecutions case, this Court is of the view that nothing is to be recovered from the applicants. Hence, they are entitled to the anticipatory bail. Therefore, the following order :

ORDER

- I) The application is allowed.
- II) Interim protection granted to the applicants by order dated 28.05.2021 is confirmed on the same terms of bail bonds.

(S.G. MEHARE, J.)