

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO.1188 OF 2022
WITH APPLN/3090/2022 IN ABA/1188/2022**

**KISAN NANDU RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Mahesh P. Kale
APP for Respondent – State : Mrs. P. V. Diggikar
Advocate for Applicant in Appln/3090/2022 : Mr. S. E. Shekade
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**CORAM : NITIN B. SURYAWANSHI, J.
DATE : 10th NOVEMBER, 2022**

PER COURT :

1. Applicants are father-in-law, mother-in-law and brother-in-law of deceased Anjana. They are seeking anticipatory bail in C.R. No.126/2022, registered on 01/08/2022, against applicants and husband of the deceased for offences punishable under Sections 302, 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code. The FIR in question is lodged by father of deceased Anjana, wherein it is alleged that in-laws were ill-treating deceased Anjana and they have committed her murder by hanging.
2. Pursuant to the registration of crime, husband of deceased was arrested.
3. Heard learned advocate for applicants and learned Assistant Public Prosecutor for respondent – State, who has produced the charge-sheet. Perused the same.

4. On going through investigation papers, it is clear that there are specific allegations against mother-in-law and husband of deceased that they used to ill-treat deceased Anjana. Statement of six years old daughter of the deceased is recorded, wherein she has categorically stated about ill-treatment given by mother-in-law to the deceased. In that view of the matter, I am not inclined to grant anticipatory bail to mother-in-law i.e. applicant No.2 and her application is hereby rejected.

5. Learned Assistant Public Prosecutor, on instructions, states that charge-sheet is filed against applicants for offences punishable under Sections 306, 302, 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code. There is no material showing involvement of father-in-law and brother-in-law in alleged ill-treatment meted out to deceased Anjana and also in commission of her murder. In that view of the matter, application of applicant No.1 Kisan Nandu Rathod, father-in-law and applicant No.3 Vishnu Kisan Rathod, brother-in-law of the deceased, is hereby allowed in terms of interim order passed by this Court on 15/09/2022.

6. Accordingly, Criminal Application No.3090/2022 stands disposed of.

(NITIN B. SURYAWANSHI, J.)