

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

BAIL APPLICATION NO.1543 OF 2022

1. Jyotiram Sopan Raut
 2. Sunita Jyotiram Raut
- ..Applicants

Vs.

The State of Maharashtra

..Respondent

Mr.S.J.Salunke, Advocate for applicants
Mr.S.P.Sonpavale, APP for respondent, assisted by Mr.A.V.Lavte,
Advocate for informant

**CORAM : R.G. AVACHAT, J.
DATE : OCTOBER 03, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicants have been arrested in connection with Crime No.0155 of 2022 registered with Sirsala Police Station, Dist.Beed, for the offences punishable under Sections 498-A, 304-B, 306, 323, 504 and 506 read with Section 34 of Indian Penal Code.

2. Heard learned counsel appearing for the parties.

3. The First Information Report (FIR) has been lodged by the mother of the deceased on 10.08.2022. Based on the same, crime for

the offences punishable under Sections 498-A, 304-B, 306, 323, 504 and 506 read with Section 34 of Indian Penal Code, came to be registered against the husband and the parents-in-law of the deceased – Rani. During investigation, it has been transpired that the husband of the deceased had called her to the well and pushed her therein. As such, Section 302 of I.P.C. has been invoked against the husband.

4. The applicants are parents-in-law of the deceased. The allegations against them would constitute offence under Section 498-A of I.P.C. Both of them have been in jail for little over one and half months. Their pre-trial detention is not warranted.

5. In the given circumstances, the application deserves to be allowed inspite of the fact that learned counsel for the informant has strong reservations to grant bail to the applicants, since he relies on a text message indicating that a sum of Rs.49,000/- has been transferred to the account of the husband of the deceased. Same is a piece of evidence against the husband of the deceased and not present applicants.

6. The observations made herein above are *prima facie* in nature only for the purpose of deciding present application for bail. The trial Court shall not be influenced thereby.

7. Hence, the following order:-

(i) The application is allowed.

(ii) The applicants be released in connection with Crime No.0155 of 2022 registered with Sirsala Police Station, Dist.Beed, for the offences punishable under Sections 498-A, 304-B, 306, 323, 504 and 506 read with Section 34 of Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety each in the like amount.

(iii) The applicants shall not tamper with the prosecution evidence.

[R.G. AVACHAT, J.]

KBP