

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**BAIL APPLICATION NO. 991 OF 2022**

Ashwini Manohar Hande ...Applicant  
V/s.

The State of Maharashtra ...Respondent

Mr. Aniket Vagal a/w Mr. Kunal Pednekar a/w Divesh Mehani, for the Applicant.

Ms. Veera Shinde, APP, for the Respondent/State.

**CORAM : N.R. BORKAR, J.**  
**DATE : 05.12.2022.**

**PC. :**

1. This is an application under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 305 of 2021 registered at Loni Kalbhor Police Station, for the offence punishable under Section 302, 201, 120(B) read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

4. The deceased was the husband of the present applicant. According to the prosecution the present applicant had illicit relations with co-accused- Gaurav Mangesh Sutar. They therefore, hatched the

conspiracy to eliminate the deceased. It is alleged that pursuant to the said conspiracy on 24/05/2021, the present applicant and other co-accused committed the murder of the deceased by strangulating him.

5. The learned counsel for the applicant submits that there is no evidence of homicidal death. I have perused the postmortem report. There are no external injuries. The opinion as to cause of death was reserved till the receipt of report of histopathological examination. After receipt of report of histopathological examination, the opinion of the doctor, who conducted the postmortem, as to cause of death was sought. According to the said doctor, the final cause of death is undetermined. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, following order is passed:

**ORDER**

- A) The Bail Application is allowed.
- B) The applicant be released on bail in Crime No. 305 of 2021 registered at Loni Kalbhor Police Station, for the offence punishable under Section 302, 201, 120(B) read with 34 of the Indian Penal Code, on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

**[N.R.BORKAR, J.]**