

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

1 BAIL APPLICATION NO.420 OF 2023

ALKABAI W/O. UTTAM CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 13.03.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. It is a case based upon the confessional statement of one of the co-accused. The applicant is mother and the wife of the other co-accused, who has given a confessional statement. However, the other material reveals that the applicant was with her grandchildren before the incident. Though it has been alleged that she instigated the co-accused to commit the murder of her daughter-in-law, the evidence is not supporting the prosecution case. The prosecution has no case that she had actively participated in a commission of a murder of her daughter-in-law. The minor witnesses are supporting the

applicant's case. Considering the allegations levelled against the applicant and the submission of the charge sheet, the Court is of the view that it would be inappropriate to keep her behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ALKABAI W/O. UTTAM CHAUDHARI** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.425 of 2022, registered by Police Station Chalisgaon, District Jalgaon, for the offences punishable under Sections 302, 109, 498-A read with Section 34 of the IPC, on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-