

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 295 OF 2023

- 1] Tulsabai w/o Banudas Kamble
Age : 72 years, Occu. Household
 - 2] Bhagyashree w/o Deepak Kamble
Age : 24 years, Occu. Household
- Both R/o. Chincholi, Tal. Jalkot,
Dist. Latur. ... Applicants

Versus

- 1] The State of Maharashtra
- 2] The Superintendent of Police,
Latur, Dist. Latur. ... Respondents

...
Mr. Nitin U. Telgaonkar – Advocate for applicants
Ms R. P. Gaur – APP for respondent/State

....

AND

ANTICIPATORY BAIL APPLICATION NO. 397 OF 2023

Deepak s/o Banudas Kamble
Age : 34 years, Occu. Education,
R/o. Chincholi, Tal. Jalkot,
Dist. Latur. ... Applicant

Versus

The State of Maharashtra ... Respondent

...

Mr. Nitin U. Telgaonkar – Advocate for applicant
Ms R. P. Gaur – APP for respondent/State

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CORAM : R. M. JOSHI, J.
DATE : 27th JUNE, 2023

PER COURT :

1. Heard learned advocate for the applicants and the APP for respondent/State.

2. The applicants are apprehending their arrest in connection with Crime No. 24 of 2023 registered with Jalkot Police Station, Dist. Latur, for the offence punishable under Sections 304B, 306 r/w 34 of the Indian Penal Code.

3. Shrihari Tukaram Waghmare, father of the deceased/Sayali gave information to the police that Sayali had married with Datta on 20.05.2018. It is stated that at the time of marriage, Rs. 42,000/- was given as dowry apart from the other household articles. The informant further stated that the applicants and co-accused used to taunt her for not being able to cook properly. There is further allegation that the in-laws used to demand Rs.80,000/- for purchase of a new auto. On 24.01.2023, Sayali

committed suicide by hanging herself.

4. Learned counsel for the applicants states that the allegations against the applicants are omnibus in nature and lack particulars. According to him, co-accused i.e. husband and in-laws of the deceased are already enlarged on bail. It is submitted that, after filing of the charge-sheet, the custodial interrogation of the applicants would not be necessary and they be enlarged on pre-arrest bail.

5. Learned APP and counsel for the informant opposed the submissions advanced by learned counsel for the applicants. According to them, there are allegations against the applicants for causing harassment to the deceased for demand of dowry. Having regard to the serious nature of the offence, the applicants are not entitled for anticipatory bail.

6. Perusal of the FIR shows that though there are allegations against the in-laws about causing harassment to the deceased for demand of dowry, however, no particulars are there to show as to when those demands are made. Except for the statement that in

Diwali-2022 same demand was raised, perusal of FIR shows that, at that time the husband of deceased had come to her parental home. Therefore, the said demand can be attributed to the husband and not to the present applicants. The investigation in the crime is complete. There is no likelihood of their abscondence. Hence, both the applications are allowed in terms of interim order passed by this Court vide order dated 28th March, 2023 in Anticipatory Bail Application No. 397 of 2023.

[R. M. JOSHI]
JUDGE

SG Punde