

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

BAIL APPLICATION NO.773 OF 2023

**SUMEDHA @ SUMITRA W/O. VITTHAL DAIGUDE
VERSUS
THE STATE OF MAHARASHTRA**

Ms.Ashwini Lomte, Advocate for applicant
Mr.R.V.Dasalkar, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : JUNE 23, 2023**

ORDER :-

Heard.

2. This is an application for grant of bail in connection with Crime No.51 of 2022, registered with Yusuf Wadgaon Police Station, Dist. Beed, for the offences punishable under Sections 302, 201 read with Section 34 of Indian Penal Code.

3. This Court, on 30.09.2022 in Bail Application No.1501 of 2022, has passed the following order:-

After having heard the learned Advocate for the applicant, the Court expressed disinclination to grant relief. He, therefore, came around to withdraw the application with a request to the trial Court to expedite hearing of the case and conclude the same within time frame.

2. The application stands disposed of as withdrawn.
3. The trial Court is requested to commence trial within a period of two months and conclude the same within six months thereafter.
4. If the trial could not be concluded, the applicant may revive his prayer, which will be decided on its own merits

4. The case is based on circumstantial evidence. The applicant is a lady. She is behind the bars for little over 14 months. The incriminating material against her is in the nature of recovery of an axe, pursuant to the disclosure statement made by her. Although the axe bore human blood, the report is inconclusive so far as the blood group is concerned.

5. Since the trial is in progress, it is not desirable to scrutinise the police papers and make any observations about merit of the case. Suffice it to say that since the case is based on circumstantial evidence, the applicant being a lady and having been behind the bars for little over 14 months, the Court is inclined to grant her bail.

6. In the result, the application is allowed. The applicant be released on bail in connection with Crime No.51 of 2022,

registered with Yusuf Wadgaon Police Station, Dist. Beed, for the offences punishable under Sections 302, 201 read with Section 34 of Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount, on conditions that :-

- (i) The applicant shall attend the concerned Police Station as and when required by the Investigating Officer.
- (ii) The applicant shall not tamper with the prosecution evidence in any manner.

[R.G. AVACHAT, J.]

KBP