

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

BAIL APPLICATION NO.945 OF 2023

**NIKHIL GANGADHAR KARVE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Tukaram Maruti Venjane
APP for Respondent/State : Ms. V.N. Patil Jadhav
...

CORAM : S.G. MEHARE, J.

DATED : JUNE 21, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.62 of 2023 registered with Bardapur Police Station, District Beed for the offence punishable under Section 304-B, 306, 34 of Indian Penal Code.
3. As usual after the death of the daughter, the father started making allegations of demand of dowry and ill-treatment. However, the most relevant fact in this case is that on the date of the incident, the present applicant called the father of the victim at his home. He along with his uncle went there. However, the first informant brilliantly avoided to assign the reason why the applicant called him at his home. He is totally silent about it, but made the

allegations that the deceased daughter complained against the applicant and his family that she was ill-treated for demand of dowry.

4. Learned counsel for the applicant would submit that the applicant called his in-laws as the victim used to speak to somebody else at odd hours. Thereafter, the father of the victim slapped her and went away and then she in the fit of anger finished her life.

5. Considering the silence of the first informant why the present applicant called his in-laws, the defence appears probable. In these circumstances, though prima facie the serious crime is registered, the Court is of the view that only for that reason the applicant shall not be detained in jail. In every case, the investigation is in progress is no ground to refuse the bail. In the facts and circumstances of the case, the applicant deserve bail on certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Nikhil Gangadhar Karve, be released on bail on executing PB. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with the above crime, on the conditions that he shall not tamper with the prosecution witnesses.

(3)

(iii) The applicant shall attend the concerned police station as and when called on written notice by the investigating officer, till filing the charge sheet.

(S.G. MEHARE, J.)