

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

BAIL APPLICATION NO.965 OF 2023

**SAVITRIBAI W/O. MAROTI HARAN
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. N. S. Ghanekar
APP for Respondent: Mr. S. P. Deshmukh

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CORAM : S. G. MEHARE, J.

DATE : 21.06.2023

PER COURT :

Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.

2. The applicant is seeking bail in Crime no. 365 /2022 registered with Police Station Basamba, District Hingoli for the offences punishable under Sections 302, 109, 504, 506 read with Section 34 of the Indian Penal Code.

3. It is a case of quarrel between two families for tying the animal at the public place. The deceased had given the oral dying declaration to the first informant alleging that the co-accused assaulted him with the weapon and the applicant was instigating him. Though one Madhav is quoted as an eye witness, the oral dying declaration of

the deceased reveals that he reached the spot of the incident after the assailants fled away. The present applicant had lodged the report against the family of the deceased. Her role as alleged is only instigating the co-accused. The applicant has a case that she has been falsely implicated in the crime. In view of the matter and considering period of languishing in the jail, it would be inappropriate to keep her behind bar. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) Applicant Savitribai Maroti Haran be released on bail on furnishing P. B. and S.B. of Rs. 50,000/- with one solvent surety of the like amount, in aforementioned crime registered with aforementioned police station, on the following conditions :-
 - (a) He shall not tamper with the prosecution witnesses.

(S. G. MEHARE)
JUDGE