

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.2168 OF 2022

SADHANA CHANDRAKANT DHUMAL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Gaurav L. Deshpande
APP for Respondent : Mr. S. P. Deshmukh

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CORAM : S. G. MEHARE, J.

DATE : 21-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The prosecution has story that the deceased has paid money to the applicant. However, she did not return. Therefore, she along with other co-accused killed the deceased. The prosecution is relying on the statement of the one witness seen last together, the bank account, CDR, etc.
3. The learned counsel for the applicant would argue that the applicant was in Pandharpur from 28.05.2022 to 31.05.2022 and she was shown in one area located from tower near M.S.E.B. main Sangola road, Pandharpur. He would point out that the dead body of the deceased was found in Nilanga lying road side. There was no rigor mortis. Considering the evidence collected against her, there are no strong circumstances against the applicant. She was languishing in jail for a long period. Hence, she may be granted bail.

4. The learned A.P.P. opposed the application contending that the applicant had some money transaction. The money was withdrawn at Pandharpur. One witness deposed that the deceased was lastly in a company of the applicant. The chain of circumstances is complete. The offence is serious. Hence, she may not be granted bail.

5. Perused the papers.

6. The statement of the person last seen together does not match with CDR. He went on stating before the police that the other co-accused asked him to help killing the deceased. The reason was best known to him why he kept silence till they learnt about the death of deceased. Be that as it may, the circumstances appear favourable to the applicant for bail. The application deserves to be allowed. Hence, the order :-

- i) The application is allowed.
- ii) Applicant Sadhana Chandrakant Dhumal be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in C.R.No.150 of 2022, registered with Nilanga Police Station, District Latur, for the offence punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code, on the condition that,
 - (a) She shall not tamper with the prosecution witnesses.
 - (b) She shall attend the trial on each and effective date.

(S. G. MEHARE, J.)