

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 154 OF 2022**

Ritu Mayur Gaikwad

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Anil Shitole for the Applicant.

Ms Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 18 JANUARY 2023

P.C. :-

This is an application under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 685 of 2020 registered at Dehu Road police station for the offences punishable under Sections 302, 201, 120-B, 404 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. The deceased was the husband of the present applicant. According to the prosecution, on 29 September 2020 the present applicant alongwith the co-accused committed the murder of the deceased as she had illicit relations with the co-accused.

5. It, however, appears that marriage of the applicant with the deceased was love marriage. The case is based on circumstantial evidence. The applicant is in jail for more than two years. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 685 of 2020 registered at Dehu Road police station for the offences punishable under Sections 302, 201, 120-B, 404 read with 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)