

Mr. Prasanna Bhangale for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 501 of 2021 registered at Bharati Vidyapeeth Police Station, Pune for the offences punishable under Sections 302, 201 r/w. 34, 120-B of Indian Penal Code and Section 37(1)(3) r/w. 135 of the Maharashtra Police Act.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. The deceased was the husband of the present applicant. It is alleged that the present applicant had illicit relations with co-accused Ramesh Kumbhar. It is alleged that the applicant had sold certain land and transferred certain amount in the bank account of co-accused Ramesh

Kumbhar as well as purchased car for him. It is alleged that thus dispute arose between the deceased and the present applicant. It is alleged that the applicant and other co-accused thus conspired to commit the murder of the deceased. It is alleged that pursuant to the said conspiracy on the date of incident, which took place on 2 July 2021, the present applicant and other co-accused assaulted the deceased by wooden stick etc. and committed his murder.

5. The learned counsel for the applicant submits that the deceased and the applicant prior to the alleged incident were married for about 15 years. It is submitted that the applicant has two children and there is nobody to look after them.

6. Admittedly, the case is based on circumstantial evidence. The applicant is in jail for more than one and half years. The trial has not yet commenced. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Saroj Anand Gujar be released on bail in Crime No. 501 of 2021 registered at Bharati Vidyapeeth Police Station, Pune for the offences punishable under Sections 302, 201 r/w. 34, 120-B of Indian Penal Code and Section 37(1)(3) r/w. 135 of the Maharashtra Police Act, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)