



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 735 OF 2023

NANDINI RAMESH BHISE

.. APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Satyavrat Joshi i/b Mr. Ashish S. Vernekar, for the Applicant.

Ms. Veera Shinde, APP for the State.

Mr. B.R. Tathvade, ASI, Uttamnagar Police Station present.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 31, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under sections 302, 201, 182 of the Indian Penal Code (hereafter 'IPC' for short) registered vide C.R. No. 38 of 2022 with Uttamnagar Police Station, Pune. The FIR is lodged on 07/04/2022. The applicant is arrested on 07/04/2022.

3. Learned APP opposed the application for bail. It is alleged by the prosecution that the date of the incident is between the night of

06/04/2022 and 07/04/2022. The deceased was the husband of the present applicant. He was residing in the house with the son of the applicant-Akshay and Arun who is the nephew of the applicant. When the incident took place, Akshay as well as Arun were present in the house along with the present applicant. The death of the victim was projected as suicide, but later on from the medical report, it was revealed that the victim died due to strangulation. It is alleged that after the victim came home drunk, the applicant fought with him. In the section 161 Cr.PC. statement of Akshay, he stated that the applicant told him that she strangled the victim and then projected the incident as if it is a suicide by hanging. In the section 164 Cr.PC. statement, witness Akshay does not mention any such story as recorded in the section 161 statement about the applicant strangulating the deceased.

4. Learned APP opposed the application for bail. She submitted that when the body was found in the house, the applicant was very much present. The death is due to strangulation and it is the applicant who has killed her husband.

5. The entire case rests on the circumstantial evidence. The applicant is a woman. She was arrested on 07/04/2022 and is now

in custody for more than 1 year and 4 months with possibility of trial concluding any time soon appearing remote. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Nandini Ramesh Bhise in connection with C.R. No. 38 of 2022 registered with Uttamnagar Police Station, Pune shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 4 weeks in lieu of surety.
- (d) The applicant shall attend the investigating officer of the Uttamnagar police station, Pune once in two months commencing from October 2023 on every first Monday of the alternate month between 11.00 a.m. and 1.00 p.m.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish her contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

6. The application is disposed of.

(M. S. KARNIK, J.)