

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 853 OF 2023**

Smt. Balubai M. Sathe

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms Neha R. Kokare for the Applicant.

Ms Veera Shinde, APP for the State.

CORAM : N.R. BORKAR, J.

DATE : 25 APRIL 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 56 of 2022 registered at Malegaon Police Station, Pune for the offences punishable under Sections 304, 328, 308, 273 r/w 34 of the Indian Penal Code and Sections 65(e), 66, 67, 68 of the Maharashtra Prohibition Act.

3. According to the prosecution, on the date of incident, which took place on 30 October 2022, two persons died due to consumption of illicit liquor (Tadi) distilled and sold by the present applicant and other co-accused.

4. According to the prosecution, while distilling Tadi the present applicant and other co-accused had mixed some poisonous substance in it, knowing well that it may cause death.

5. I have perused the CA reports. No poison is detected either in viscera or blood of the deceased. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

ORDER

(i) Application is allowed.

(ii) The applicant- Smt. Balubai M. Sathe, shall be released on bail in Crime No. 56 of 2022 registered at Malegaon Police Station, Pune for the offences punishable under Sections 304, 328, 308, 273 r/w 34 of the Indian Penal Code and Sections 65(e), 66, 67, 68 of the Maharashtra Prohibition 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.)