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Bhimbharti Goswami and anr ...Applicants
vs.
State of Maharashtra ...Respondent

WITH
ANTICIPATORY BAIL APPLICATION NO.1798 OF 2023

Mr. Hiren P. Mehta for the Applicants in both Applications.

Mr. H. J. Dedhia, APP for the Respondent-State in both Applications.

DATED : 10TH JULY 2023

1. Heard the learned counsel for the applicants and learned APP for the respondent – State.
2. Applicants in ABA NO.1792 OF 2023 are in-laws of the deceased Bharti where as the applicant in ABA No.1798 OF 2023 is sister-in-law.
3. Laxmangiri Bikgiri Goswami being the father of the deceased has lodged the complaint with Narpoli Police Station, Thane City on

30 April 2023 against in all six persons. The same was registered vide CR No.379 of 2023 for the offences punishable under sections 304-B of the Indian Penal Code, 1860. It is in respect of dowry death of his daughter Bharti who committed suicide on 21 April 2023 at Bhiwandi by strangulation. Earlier, she was staying at Village Rabariya Kawas, Saremandar Road, Jaler, Rajasthan along with her husband and in-laws.

4. In March 2020, the deceased Bharti married with one Mukesh. In marriage, her father had gifted ornaments of gold and silver, clothes and furniture. She gave birth to baby boy on 10 July 2022. In August, 2022, she returned back to her matrimonial house.

5. She was being harassed by her in-laws and others on account of not being paid sufficient dowry. This fact was informed by the deceased Bharti to her father on telephone. The allegation against in-laws is that they used to taunt her on account various reasons and they used to insist the deceased to secure a job. In September 2023, her husband and she shifted to Bhiwandi and started residing along with her brother-in-law. There too her husband and brother-in-law used to harass her for the purpose of bringing dowry and they used to consume liquor. Even on one occasion, the first informant had

sent Rs.25,000/-. Fade of all these, she has put end to her life by strangulation on 21 April 2023.

6. So far as, sister-in-law is concerned, she was married earlier and she stays at Bangalore and copy of her rental agreement is annexed to this Application. There are general allegations of harassment and insistence to secure a job. Now, the son of the deceased Bharti is being taken care by in-laws.

7. Considering the above, I do not think that custodial interrogation of all of them are required. Hence, I am intended to allow their applications. In view of that the following order is passed;

ORDER

- (a) In the event of arrest, in connection with C.R. No.379 of 2023 registered with Narpoli Police Station, Thane City for the offences punishable under section 304-B of the Indian Penal Code, 1860, the applicants no.1-Bhimbharti Goswami and 2-Bablidevi Bhimbharti Goswami in ABA No.1792 of 2023 and the applicant – Vina Kumari Goswami in ABA No.1798 of 2023 be released on

bail on furnishing personal bond and surety bond of Rs.25,000/- each.

- (b) The applicants shall not threaten the prosecution witnesses or allure them in any manner.
- (c) The applicant – Bhimbharti Goswami in ABA No.1792 of 2023 shall give attendance to Narpoli Police Station, Thane City on 7 August 2023, 9 August 2023, 14 August 2023 and 18 August 2023 between 10 am to 12 noon and thereafter as and when called till the conclusion of the trial.
- (d) Needless to say, violating of the condition above will make the applicants liable for cancellation of anticipatory bail, after notice to the applicants.

8. Applications are disposed of accordingly.

9. These are my *prima facie* observations and the trial Court may not be influenced by that.

10. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]