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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2535 OF 2023

Salomi S. Pedrai

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. Nitin Sejpai a/w. Ms Pooja Sejpai and Ms Akshata Desai for the Applicant.

Mr. S.V. Gavand, APP for the Respondent/ State.

CORAM : N.R. BORKAR, J.
DATE : 27.10.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.151 of 2020 registered at Neral Police Station for the offences punishable under Sections 302 read with 34 and 201 of the Indian Penal Code.
3. According to the prosecution, the deceased had illicit relations with the present applicant. It is alleged that the husband of the present applicant who is accused No.1 was thus annoyed with the deceased. It is alleged that the husband of the applicant thus on the date of incident which took place on 13 December 2022 at about 1:00 a.m. assaulted the deceased by sharp weapons and committed the murder of the deceased with the help of present applicant. It is further alleged that the dead body of deceased was cut into pieces and thrown in Canal with a view to cause disappearance of evidence.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The case of the prosecution is that the present applicant had helped her husband to commit the murder of the deceased. However, *prima facie*, there appears to be no material to that effect. On the contrary, the initial case of prosecution appears to be that it was accused No.1 only, who did the said act of committing the murder of the deceased.

6. The applicant is in jail for about three years. The trial has not yet commenced. Considering the over all facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in 151 of 2020 registered at Neral Police Station for the offences punishable under Sections 302 read with 34 and 201 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

B] The applicant shall attend the concerned police station once in a month, i.e., first Saturday between 11:00 a.m. and 2:00 p.m. till conclusion of trial.

[N.R.BORKAR, J.]