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

BAIL APPLICATION NO. 4122 OF 2021

Sonu Parmeshwar Jha ..Applicant
VS.
The State of Maharashtra ..Respondent

Mr. Devendra Patil, for the Applicant.
Mr. S. V. Gavand, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 18, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail by the applicant- Sonu Parmeshwar Jha in connection with C.R. No. 343 of 2021 dated 23/05/2021 registered with Bhandup Police Station for the offence punishable under sections 302, 304(b) of the Indian Penal Code.
- 3.** The incident happened on 23/05/2021. Deceased is the wife of the applicant. At the relevant time the deceased was found dead in the house of the applicant. The case is

based on the circumstantial evidence. No doubt, the body of the deceased was found in the house of the applicant. However, post-mortem report reveals that the 'opinion as to the cause of death: evidence of ligature mark on neck, however trachea kept for histopathological examination and sample kept in accessory examination'. The final cause of death is shown as "hanging unnatural death".

4. Learned APP submitted that the conduct of the applicant on the basis of the statements of the witnesses raises suspicion that the applicant is responsible for the death of the deceased. Moreover, he submits that the body was found in the house of the applicant. Learned APP further relied upon the statement of the mother of the applicant who has stated that there was some quarrel between the applicant and the deceased. He also relied upon the statement of the one of the witnesses -Manikumar Singh who is a friend of the applicant on the basis of which learned APP submitted that the applicant was acting in a suspicious manner.

5. As the materials stand, the case is based on

circumstantial evidence. At the highest, there is a strong suspicion against the applicant that the applicant is responsible for the death of his wife. However, the trial is likely to take a long time to conclude. The applicant is in custody from 23/05/2021 i.e. almost for a period of 1 year and 7 months. The applicant will face consequences if ultimately he is convicted. The charge-sheet has been filed and the investigation is complete. No criminal antecedents are reported against the applicant. The applicant therefore can be enlarged on bail. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) The applicant- Sonu Parmeshwar Jha shall be released on bail in connection with C.R. No.343 of 2021 dated 23/05/2021 registered with Bhandup Police Station on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) 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.

(d) The applicant shall report to the Investigating Officer of the concerned Police Station once in a month on every Monday of the first week between 11.00 a.m. and 1.00 p.m.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

6. The bail application is disposed of.

(M. S. KARNIK, J.)