

Digitally
signed by
DINESH
SADANAND
SHERLA
Date:
2023.02.21
13:12:14
+0500

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2858 OF 2022

- | | |
|----------------------|----------------|
| 1. Bapu D. More | |
| 2. Bibabai B. More | ...Applicants |
| V/s. | |
| State of Maharashtra | ...Respondent. |

Mr. Abhijit Ghumare for the Applicants.
 Mrs. Veera Shinde, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 09.01.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No.258 of 2022 registered at Jaykheda Police Station, Nashik rural for the offences punishable under Sections 306, 498-A, 504 and 506 of the Indian Penal Code.

3. The deceased was the daughter-in-law of the present applicants. According to the prosecution, the deceased was subjected to ill-treatment on account of demand of money. It is alleged that due to ill-treatment the deceased had suffered miscarriage. It is alleged that the deceased thus got fed up with the ill-treatment and committed suicide on 1 September 2022.

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

5. The learned counsel for the applicants submits that the deceased was residing at her parents house since six months prior to the alleged incident. It is submitted that after thought allegations are made against the present applicants. It is submitted that considering the facts and circumstances of the case, the applicants may be released on anticipatory bail.

6. On the other hand, the learned APP submits that considering the nature of offence, the applicants may not be released on anticipatory bail.

7. The main allegations are against the husband. Considering the fact that at the time of alleged incident the deceased was residing at her parents' house, I am inclined to release the applicants on anticipatory bail. In the result the following order is passed.

ORDER

A) Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicants in C.R. No.258 of 2022 registered at Jaykheda Police Station, Nashik rural for the offences punishable under Sections 306, 498-A, 504 and 506 of the Indian Penal Code, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

[N.R.BORKAR, J.]