



Diksha Rane

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

BAIL APPLICATION NO.3375/2023

RADHA MADAN LAKHE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Omkar Chitale for the applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 7, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 302, 109, 120-B, 201 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 26/10/2020 vide C.R. No.1060/2020 with Borivali Police Station, Mumbai.

3. It is the accusation that the applicant who is the accused no.2 along with accused no.1 committed the murder of her mother-in-law. The prosecution case is that the accused no.1 was having illicit relations with the present

applicant who is the accused no.2. The deceased saw the present applicant and the accused no.1 together and threatened that the said fact will be informed to the husband of the present applicant.

4. The applicant was arrested on 27/10/2020 and is in custody for almost three years with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant.

5. The accused no.1 has been enlarged on bail by this Court by an order dated 26/10/2023 passed in Criminal Bail Application No.1489/2022 which equally applies to the present applicant. The applicant can claim parity with the accused no.1 who is enlarged on bail. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Radha Madan Lakhe in connection with C.R. No.1060/2020 registered with Borivali Police Station, Mumbai, shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like

amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) 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.

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

(f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall surrender her passport, if any, to the investigating officer.

(h) The applicant shall not reside in the area where her husband resides.

6. The application is disposed of.

(M. S. KARNIK, J.)