



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 58 OF 2024

1. Sanju S/o Vasudev Tayde
2. Anuja D/o Sanju Tayade
3. Shital W/o Sanju Tayde ... Applicants

VERSUS

The Superintendent Of Police,
Jalna And Another ... Respondents

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Mr. Manikrao L. Wankhade, Advocate for Applicants
Mr. B.M. Dhanure, APP for Respondents - State
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 08th APRIL, 2024

ORDER :

1. Applicants apprehend arrest in Crime No.379 of 2023, registered with Taluka Police Station, Jalna for offence punishable under sections 304-B, 323, 498-A, 504, 506 read with section 34 of the Indian Penal Code.

2. FIR is lodge by Digambar Murlidhar Jadhav alleging that his daughter was married with Abhijit Sanju Tayade, son of applicant nos.1 and 3 and brother of applicant no.2 on 14.05.2023. Her in-laws including present applicants were harassing her for remaining amount of dowry of

Rs.1,00,000/-. Fed up with ill-treatment by the in-laws, she committed suicide.

3. Heard learned advocate for applicants and learned APP for respondents – State. Perused the investigation papers.

4. After arguing at length on merits, when this Court was not inclined to grant relief to applicant no.1 Sanju S/o Vasudev Tayde and applicant no.3 Shital W/o Sanju Tayde, learned advocate for applicants, on instructions, seeks permission to withdraw their application. Permission granted. Application of applicant no.1 Sanju S/o Vasudev Tayde and applicant no.3 Shital W/o Sanju Tayde is dismissed as withdrawn.

5. Applicant no.2 Anuja D/o Sanju Tayade is prosecuting B.A.M.S. course at Gangadhar Shastri Gune Ayurved Mahavidyalaya and Hospital, Ahmednagar. The documents in support of the said contention are placed on record. Since the said course is full time course, it is not possible to accept the allegation of prosecution that she has participated in ill-treatment of deceased. In the present crime, charge-sheet is filed on 30.08.2023, hence, custodial detention of applicant no.2 is not necessary as nothing is to be recovered from her.

6. Application is therefore allowed. In the event of arrest of applicant no.2 Anuja D/o Sanju Tayade in connection with 379 of 2023, registered with Taluka Police Station, Jalna for offence punishable under sections 304-B, 323, 498-A, 504, 506 read with section 34 of the Indian Penal Code, she be released on furnishing Personal Bond and Surety Bond of Rs.15,000/- with one surety in the like amount. Applicant shall not tamper prosecution evidence

[NITIN B. SURYAWANSHI]
JUDGE