



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

902 BAIL APPLICATION NO. 190 OF 2024

VINOD VILAS MANE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shashikant E. Shekade.
APP for Respondent/State : Mrs. Pratibha J. Bharad.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 05th March, 2024.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.264 of 2023, registered with Pimpalner Police Station, District Beed, for the offence punishable under Section 306 of the Indian Penal Code.

3 The informant, who is daughter of the deceased, who committed suicide, averred in the report that there were illicit relationship between her mother and this applicant. The quarrel used to take place between them. The applicant used to come to her house and that time her mother was enraging. On 30th November, 2023 when the informant woke up at about 05:00 am, she saw that the door of her

house was open. Her mother was lying there. It was raining time. She tried to wake her up. But her body was cold. Therefore, she called her uncle Yogesh there. But her mother was not responding. The rope was found tied around her neck and part of that rope was found tied to a branch of lemon tree. Her mobile phone was found broken lying there. From that scene, it was appearing that somebody has cut the rope. The informant, thereafter, lodged the report and the applicant was arrested.

4 The learned counsel for applicant submitted that the applicant is falsely implicated in the crime. There is no *prima-facie* material against the applicant. The applicant is handicapped and the practical investigation is over. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in serious crime. There is *prima-facie* evidence of the daughter of deceased that there were illicit relationship between the deceased and this applicant. It is also pointed out from the postmortem report that one injury is *ante-mortem*. It is lastly prayed to reject the application.

6 Perused the papers of investigation, particularly, the FIR and the postmortem report. Without adverting into the merits of the

case, considering the facts and circumstances of the case, nature of the offence, the fact that the applicant has no criminal antecedents, he is by birth physically handicapped, suffering from haemophilia arthritis, practical investigation is over, he has roots in the society and he will not flee away from the trial, the application deserves to be allowed on certain stringent conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.264 of 2023, registered with Pimpalner Police Station, District Beed, for the offence punishable under Section 306 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.50,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicant shall not tamper with the prosecution evidence, in any manner.
 - c) The applicant shall not enter into village Tadsonna, Taluka and District Beed till the conclusion of trial.

[SANJAY A. DESHMUKH, J.]