



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

5 BAIL APPLICATION NO. 234 OF 2024

Ramprasad Balu Darewad

..APPLICANT

-VERSUS-

The State of Maharashtra

..RESPONDENT

Advocate for Applicant : Mr. Kawade Shrikant G.

APP for Respondent/State : Mr.Mukesh K. Goyanka

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 26th MARCH, 2024.

PER COURT :-

1. The applicant is seeking bail under section 439 of the Criminal Procedure Code, 1973 (for short, "Cr.P.C."). The applicant has been arrested in connection with crime No.0197 of 2023 registered with Police Station, Himayatnagar, Dist. Nanded, for the offences punishable under Sections 304-B, 498-A read with 34 of Indian Penal Code.

2. Informant- father of deceased wife of this applicant averred in the report that applicant and co-accused were treating his daughter with cruelty. They were demanding Rs.1,50,000/- to start the computer shop. They were keeping her starvation. They were abusing and teasing her frequently. She begotten daughter. Even

thereafter she was continuously harassed. On 21.09.2023, she committed suicide in the house of this applicant. Report was lodged on the second day of incident.

3. The learned advocate for the applicant submitted that all the allegations against this applicant are vague and no specific incident of alleged illegal demand on the part of this applicant and his relatives is pointed out from the charge-sheet. The applicant has roots in the society. He will not flee away from the trial. It is lastly prayed to allow the application.

4. The learned APP for the respondent/State strongly opposed the application and pointed out that the report as well as the statements of the witnesses. He further pointed out that presumption under section 113 of the Indian Evidence Act is attracting to this case. It is serious crime. It is lastly prayed to reject the application.

5. Perused the charge-sheet, particularly the report and the statements of the witnesses. No doubt, there are allegations regarding the demand of Rs.1,50,000/- in the FIR, however, from the statements of the witnesses as well as the FIR no such specific date of incident of demand is mentioned. However, without advertng to the merits of the case, considering the facts and circumstances of the

case, particularly the fact that the applicant has roots in the society, he will not flee away from the trial, trial will take long period, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. crime No.0197 of 2023 registered with Police Station, Himayatnagar, Dist. Nanded, for the offences punishable under Sections 304-B, 498-A read with 34 of Indian Penal Code be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence in any manner.
- III. If any breach of the above condition is noticed by the trial Court, the trial Court is at liberty to cancel the bail granted to this applicant without further reference to this Court.

(SANJAY A. DESHMUKH, J.)