



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

1009 BAIL APPLICATION NO. 235 OF 2024

1) Annasaheb Prabhakar Lokhande  
2) Prabhakar Vishnu Lokhande

VERSUS

The State of Maharashtra

Advocate for Applicant : Mr. Ajit B. Kadethankar  
APP for Respondents: Mr. Satish A. Gaikwad

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**CORAM : SANJAY A. DESHMUKH, J.**  
**DATED : 27<sup>th</sup> FEBRUARY, 2024.**

**PER COURT :-**

1. This is an application for granting bail under section 439 of the Cr.P.C. in connection with crime No. I-825 of 2023 registered with Shevgaon police station, District Ahmednagar for the offences punishable under Sections 498-A, 328, 323, 504 r.w. 34 of the I.P.C. Their application with similar prayer bearing criminal bail application No. 64 of 2024 came to be rejected by the learned Additional Sessions Judge, (Court No.4) Ahmednagar vide order dated 23.01.2024.

2. It is averred in the report by the informant, who is wife of the applicant No.1 that the applicants and her mother-in-law were demanding Rs.5,00,000/- for construction of house. They used to keep her on starvation and treating her with cruelty. On 9.8.2023, at about 3.30 p.m. applicant No.1 came there under the influence of

liquor and asked her to bring the amount for construction of house from her maternal uncle and aunt for construction of house. She was abused and assaulted by fist and kick blows. She made hue and cry. thereafter, applicant No.2 and her mother-in-law came there. They started to abuse her. They thereafter without knowing her, administered some unknown substance. Therefore, she became unconscious. She was admitted in Nityaseva hospital by one villager Adinath Falke. Thereafter she lodged a report on 23.8.2023.

3. Learned advocate for the applicants submitted that the applicants are arrested on 14.01.2024. Charge sheet is not filed. The applicants have roots in the society. They are falsely implicated in the crime. It is lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicants are involved in serious crime. A poison was administered to the informant in order to kill her. Investigation is not over. It is lastly prayed to reject the application.

5. Perused the papers of investigation, particularly, report and statement of witnesses. Without adverting to the merits of the case, considering the facts and circumstances of the case and more particularly the fact that the applicants have roots in the society, they will not flee away from trial, the trial will take long period, the

application deserves to be allowed. Hence, the following order.

### O R D E R

- I. Application is allowed.
- II. The applicants in connection with crime No. I-825 of 2023 registered with Shevgaon police station, District Ahmednagar for the offences punishable under Sections 498-A, 328, 323, 504, 34 of I.P.C. be released on bail on furnishing personal bond of Rs.15,000/- each with one surety each of the like amount on following condition:-
  - a) The applicants shall not tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.

**(SANJAY A. DESHMUKH, J.)**

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