



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

83 BAIL APPLICATION NO. 280 OF 2024

Anita Bhimrao Suryawanshi

VERSUS

The State Of Maharashtra And Another

Advocate for Applicant : Mrs. Sangita P. Daud-Sambre (through
Legal Aid)

APP for Respondent: Mr. R. D. Raut

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 11th MARCH, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") in connection with crime No. 225 of 2020 registered with Degloor police station, District Nanded, for the offences punishable under Sections 302 r.w. 34 of the I.P.C. Her application with similar prayer below Exh.11 in Sessions Case No. 53 of 2020 came to be rejected by the learned Additional Sessions Judge, Biloli, district Nanded, vide order dated 02.02.2021.

2. It is averred in the report by the informant that the sister of his father is residing adjacent to his house with her son Bhimrao. The applicant is the wife of Bhimrao. It is alleged that there were illicit relations between the wife of Bhimrao i.e. the present applicant and one doctor Nagorao Lone. It is further alleged by the informant that

the applicant and her paramour Nagorao Lone had committed murder of said Bhimrao. It is with these allegations the report came to be lodged.

3. Learned advocate for the applicant submitted that the applicant has been falsely implicated in the crime. There is no any specific role attributed to the applicant. The general and vague allegations are made against the applicant in the report. There is delay of three days in lodging the report. The applicant has roots in the society, she will not flee away from trial. She therefore, prayed for allowing the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and pointed out that there was illicit relations between the applicant and one doctor Nagorao Lone. Deceased Bhimrao was the obstruction in the said illicit relations and therefore, the applicant and said doctor Nagorao had committed murder of Bhimrao. There was conspiracy between the applicant and doctor Nagorao in committing the murder of Bhimrao. Learned A.P.P. therefore, prayed for rejection of the application.

5. Perused the charge sheet, particularly the report and the statements of witnesses. It appears that there is no specific role attributed to the present applicant of committing the murder of her husband. There is delay of three days in lodging the report. The

applicant has roots in the society. She will not flee away from the trial, trial will take a long period. The application therefore, 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. 225 of 2020 registered with Degloor police station, District Nanded, for the offences punishable under Sections 302 r.w. 34 of the I.P.C. be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

(SANJAY A. DESHMUKH, J.)

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