



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

941 BAIL APPLICATION NO. 302 OF 2024

- 1) Nitesh s/o Darasing Valvi.
- 2) Darasingh s/o Dhanji Valvi.
- 3) Kusa Darasingh Valvi.
- 4) Sunita w/o Barkya Valvi. **... Applicants**

Versus

The State of Maharashtra. **... Respondent**

...
Mr. Pranit Pramod Patni, Advocate for Applicants.
Mrs. Pratibha J. Bharad, APP for Respondent/State.
...

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.71 of 2024, registered with Visarwadi Police Station, District Nandurbar, for the offences punishable under Sections 306 and 504 read with 34 of the Indian Penal Code.

3 When this Court expressed disinclination to grant relief to applicant No.1, the learned counsel for applicants, on instructions,

seeks leave to withdraw the application of applicant No.1. Leave granted.

4 It is averred in the report by the father of married woman that his daughter married co-accused (applicant No.1) on 13th May, 2022. She was harassed by these applicants and other accused. Therefore, she committed suicide by hanging by leaving suicide note. After she committed suicide, the report was lodged immediately.

5 The learned counsel for applicants submitted that applicant Nos.2 and 3 are parents-in-law and applicant No.4 is sister-in-law of the husband of deceased Vaishali. He submitted that the applicants have roots in the society. They will not flee away from the trial. There are no any allegations against them in the suicide note. It is lastly prayed to allow the application.

6 The learned APP for the State strongly opposed the application and pointed out the suicide note of deceased Vaishali. It is lastly prayed to reject the application.

7 Perused the report and the statements of witnesses, particularly, suicide note. The suicide note shows allegations against husband of deceased Vaishali, who committed suicide. The role of applicant Nos.2 to 4 is not spelled out either in the report or in the

suicide note. Considering the facts and circumstances of the case, applicant Nos.2 to 4 have roots in the society, they will not flee away from the trial and the trial will take long period, the application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is partly allowed.
- II. The application of applicant No.1 is disposed of as withdrawn.
- III. Applicant Nos.2 to 4 in connection with Crime No.71 of 2024, registered with Visarwadi Police Station, District Nandurbar, for the offences punishable under Sections 306 and 504 read with 34 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.50,000/- each with surety of the like amount by each of them on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicants shall not tamper with the prosecution evidence, in any manner.
 - c) If the applicants remain absent for trial without any just ground, the Trial Court is at liberty to cancel their bail without reference to this Court.

[SANJAY A. DESHMUKH, J.]