



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 743 OF 2024

Aruna @ Arunabai W/o Chandrakant Bharti ... Applicant

VERSUS

The State Of Maharashtra And Another ... Respondents

.....
Mr. Abhaykumar D. Ostwal, Advocate for Applicant
Mr. S.B. Jadhav, APP for Respondents- State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 04th JULY, 2024

ORDER :

1. By this application, applicant seeks bail in C.R. No.463 of 2023, registered with AUSA Police Station, District-Latur for offences punishable under sections 306, 304-B, 498-A, 504 read with section 34 of the Indian Penal Code.

2. FIR is lodged by Radhabai Prakash Giri alleging that her daughter Renuka was married with Siddheshwar Chandrakant Bharati i.e. accused No.1, on 16/05/2023. Accused Nos. 2 and 3 are parents of accused Nos.4 and 5, who are sister-in-laws of Renuka and accused No.6 is sister of accused No.2. Renuka's parents had given Rs.5,51,000/-, in her marriage and 2 Tolas gold and other house hold articles

after marriage, as a dowry. On the next day of marriage i.e. on 17/05/2023, cousin father-in-law of informant died. The said information was given to in-laws of Renuka with request to send her for funeral. The same was turned down. Though informant requested not to perform *Satyanarayan Pooja* accused No.2 refused the said request and *Satyanarayan Pooja* was performed and demand of Rs.20,000/- and two gold rings of 5 Grams each was made, the same was complied. Renuka was also not sent on the occasion of *Nagpanchami* festival, stating that her sister-in-law would be visiting the house. In-laws used to cause physical and mental cruelty and used to starve Renuka. She became pregnant and thereafter accused Nos.4 and 5, her sister-in-laws and accused No.6 aunt of accused No.1, forcibly took her to Vivekanand Hospital, Latur, and performed abortion against her wish. All the accused persons used to harass her by demanding abortion charges of Rs.30,000/-, to be brought from her parents. Thereafter, demand of gold locket of 5 Tolas was raised to parents of Renuka. Renuka committed suicide on 04/11/2023 at about 01:00 p.m. to 01:30 p.m., due to physical and mental cruelty and harassment caused to her by accused persons.

3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the charge-sheet.

4. Applicant is mother-in-law, who was arrested on 06.11.2023 and since then, she is behind the bars. On completion of investigation, charge-sheet is filed on 02.02.2024. Husband of deceased is in custody. Accused nos.4, 5 and 6 are granted anticipatory bail and accused no.2 is granted *ad-interim* anticipatory bail by this Court.

5. In view of provisions of section 437 of the Code of Criminal Procedure, since applicant is a women and she has already been in custody for more than six months, no useful purpose would be served by keeping her in custody. Trial is not likely to commence and conclude in near future, applicant therefore, need not be detained in pre-trial custody by way of punishment. In the result, following order.

ORDER

(i) Bail Application No. 743 of 2024 is allowed.

(ii) Applicant - Aruna @ Arunabai W/o Chandrakant Bharti be released on bail in connection with C.R. No. 463 of 2023, registered with AUSA Police Station, District-Latur for offences punishable under sections 306, 304-B, 498-A, 504

read with section 34 of the Indian Penal Code, on executing Personal Bond of Rs. 25,000/- with one surety in the like amount.

- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall attend the trial.

[NITIN B. SURYAWANSHI]
JUDGE