



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

**92 BAIL APPLICATION NO. 1197 OF 2024**

DADA @ MARUTI DHONDIBA KARGAL  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Jain Gajendra Devichand  
APP for Respondent/State : Mr.M.K. Goyanka

...  
CORAM : **SHIVKUMAR DIGE, J.**  
DATE : 23<sup>rd</sup> September, 2024.

**P.C.:**

1. The applicant is seeking bail in Crime No.0221 of 2024 registered with the Police Station, Jamkhed, Dist. Ahmednagar, for the offences punishable under sections 306, 498-A, 504, 506 read with 34 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that the informant's daughter had married with the applicant. After marriage, she was subjected to cruelty by the applicant and co-accused. It is alleged that the applicant deserted the daughter of the informant. During that period, the applicant performed second marriage. Thereafter, the second wife of the applicant deserted him. Hence, again the applicant asked the informant's daughter to cohabit with him. When the informant's daughter came for cohabitation with the applicant, the applicant and co-accused harassed the informant's daughter on the ground that she had illicit relations with one Balu Kokre. It is alleged that on 22<sup>nd</sup> April, 2024, the applicant and co-accused assaulted the informant's daughter and Balu Kokre. On

23<sup>rd</sup> April, 2024, the informant's daughter informed the informant that the applicant and co-accused are telling her that she should die or they will kill her. Thereafter, the informant came to know that his daughter died due to electric shock. On his complaint, the police registered complaint against the applicant and co-accused under the above referred sections.

3. It is contention of the applicant that the applicant has been falsely implicated in this case. The applicant is behind bar more than four months. Investigation is completed. The charge-sheet has been filed. The applicant is Karta of his family. It may take time to conclude the trial. Further detention of the applicant is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant is husband of the deceased i.e. daughter of informant, who earlier deserted her and thereafter performed second marriage. When that wife deserted the applicant, the applicant again called the informant's daughter. He and co-accused harassed the informant's daughter on the suspicion that she had illicit relations with one Balu Kokre. On the earlier day of incident, the informant's daughter had told the informant that the applicant and co-accused threatening her that she should die or they will kill her. On the next date, the informant's daughter died due to electric shock. It shows the active involvement of the applicant in this crime. If the applicant is released on bail, he may threaten the

prosecution witnesses or may abscond and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

6. The allegations against the applicant are that the applicant is husband of deceased daughter of the informant and he used to harass her on the suspicion of her illicit relations with one Balu Kokre. Investigation is completed. Charge-sheet has been filed. The applicant is behind bar more than four months. The applicant is Karta of his family. It may take time to conclude the trial. Considering these aspects, his further detention is not required and I pass the following order :-

#### **ORDER**

(i) The application is allowed.

(ii) The applicant in connection with Crime No.0221 of 2024 registered with the Police Station, Jamkhed, Dist. Ahmednagar, for the offences punishable under sections 306, 498-A, 504, 506 read with 34 of the Indian Penal Code be released on executing personal bond in the sum of Rs.25,000/- with one surety of the like amount, on the following conditions :-

(a) the applicant shall not pressurize the prosecution witnesses and shall not tamper the prosecution evidence.

(b) the applicant shall attend the police station as and when required by the Investigating Officer.

**[ SHIVKUMAR DIGE, J. ]**

*sga*