



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1396 OF 2024

Sidheshwar Chandrakant Bharti
VERSUS
The State Of Maharashtra And Another

.....
Mr. Pavan M. Salunke, Advocate for Applicant
Mr. Rajdeep D. Raut, APP for Respondents – State
Mr. Manoj U. Shelke, Advocate for Informant
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th OCTOBER, 2024

ORDER :

1. By this application, applicant seeks bail in C.R. No.0463 of 2023, registered with AUSA Police Station, Dist. Latur, for offence punishable under Sections 306, 304-B, 498-A, 504 r/w 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, learned APP for respondents-State and learned advocate assisting learned APP. Perused the investigation papers.

4. Learned advocate for applicant submits that applicant is behind bars for more than 11 months, and charge-sheet is now filed, co-accused/mother of applicant is granted regular bail by this Court vide order dated 04.07.2024, hence on the ground of parity also applicant may be released on bail.

5. Learned APP and learned advocate for the informant vehemently opposed the application stating that deceased has committed suicide within 5 ½ months of marriage, which itself is sufficient to show that she was being harassed and ill-treated by the accused persons. In view of of presumption under Section 113 of the Indian Evidence Act, there is strong case against the applicant as he does not deserves the bail.

6. Applicant is arrested on 06.11.2023 and since then he is in jail. Charge-sheet is filed in the month of February 2024, and case is numbered as Sessions Case No.35/2024. The case is pending for framing charge. Trial is not likely to commence and conclude in near future. Applicant need not be detained by way of punishment at pre-trial stage. His mother/accused No.2, against whom similar allegations are

levelled is granted bail by this Court vide order dated 04.07.2024. On the ground of parity also, applicant is entitled for bail. Applicant is permanent resident of village Lodga, Tq. Ausa, District-Latur, and he will not abscond if released on bail and will be available for trial. In the result, following order:

ORDER

- (I) Application is allowed.
- (II) Applicant - Sidheshwar Chandrakant Bharti be released on bail in connection with C.R. No.0463 of 2023, registered with Ausa Police Station, Dist. Latur, for offence punishable under Sections 306, 304-B, 498-A, 504 r/w 34 of the Indian Penal Code, on executing Personal Bond of Rs.15,000/- with on surety in the like amount
- (III) Applicant shall not tamper prosecution evidence.
- (IV) Applicant shall attend the trial.

**[NITIN B. SURYAWANSHI]
JUDGE**