



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1466 OF 2024

ASHOK SHAHURAO KARVE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant: Mr. Sudarshan J. Salunke
APP for Respondents: Mr. A. S. Shinde
...

CORAM : S. G. MEHARE, J.

DATE : 06-09-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.
2. The applicant seeks bail in C.R.No.87 of 2024 registered with Talwada Police Station, District Beed, for the offences punishable under Sections 302, 304B, 498A, 323, 506 read with Section 34 of the Indian Penal Code. The applicant/husband is claiming bail.
3. The prosecution has a case that the the in-laws of the deceased had gone for pilgrimage. When they returned, they found the door of the house latched from outside. When they entered the house, they saw the dead body of the deceased/wife of the applicant lying on the bed. The body was completely decomposed and eaten by the germs. He immediately informed the police and then law was put into motion.

4. The applicant came with a case that he was not present in the house because he had gone to the house of his sister. Only on suspicion, he has been arraigned as an accused. The prosecution even did not have a concrete opinion as to the cause of death. He is being the husband only made scapegoat. He has no antecedents to his discredit. Hence, he may be granted bail.

5. The learned A.P.P. has strongly opposed the application. He submits that few days before revealing the incident, the applicant and the deceased wife had a quarrel. He had threatened her to kill. The applicant was lastly seen in the company of the deceased on 21.03.2024.

6. Considering the condition of the body, it could be easily inferred that the incident happened two to three days before 25.03.2024. There was no reason to latch the door from outside when somebody was inside. It was an inhumane act of killing a married woman. There are circumstances against the applicant. He deliberately left the home to create a picture that he was not present in the house. The applicant was consistently suspecting over character of the deceased and that was the motive behind the crime. The offence is not only grave but an example of inhuman treatment to the helpless woman. Hence, he may not be granted bail.

7. Perused the papers.

8. There appears a substance in the submissions of the learned A.P.P. that few days before coming the incident to light, the applicant and the deceased were quarreled. He was lastly seen in the company of the deceased. Probably, there may be a motive since he was suspecting over the character of the deceased. The circumstantial evidence is strongly against the applicant. The explanation may be considered during the course of trial.

9. Considering the entire aspects and the material collected against the applicant, the application deserves to be dismissed.

10. The bail application stands dismissed.

(S. G. MEHARE)
JUDGE

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