



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 BAIL APPLICATION NO. 2353 OF 2023

Vaijnath S/o Dattatray Suryawanshi

..APPLICANT

-VERSUS-

The State of Maharashtra

..RESPONDENT

Advocate for Applicant : Mr. Abasaheb D. Shinde

APP for Respondent/State : Mrs.Pratibha J. Bharad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 20th FEBRUARY, 2024.

PER COURT :-

1 This is an application, under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail in connection with Crime No.279 of 2023 registered with Ahmedpur Police Station, Dist.Latur, for the offence punishable under Section 302 of the Indian Penal Code, 1860.

2 It is averred in the report that the applicant committed murder of his wife as he was doubting her character. He doused hot edible oil on her person and assaulted her by sickle on her ulterior and posterior neck, back and right breast, therefore, the report was lodged immediately against the applicant.

3. The learned advocate for the applicant submitted that practical investigation is over. He is only bread earner in the family. His two daughters are depending upon him. He is a teacher. He will not flee away from the trial. He prayed for grant of bail.

4. The learned APP has strongly opposed the application and submitted that the applicant is involved in the serious crime of committing murder of his wife by doubting her character. There is serious case against him. She pointed out the postmortem report and the statements of the witnesses, particularly, the statement of daughter of this applicant, who supported the prosecution. It is lastly prayed to reject the application.

5. Perused the charge-sheet, particularly the report, statements of the witnesses and postmortem report. The charge-sheet is filed. The applicant has roots in the society. Informant is residing in another village. Considering these aspects, the applicant's presence can be secured in the trial. Trial would take long period. The application, therefore, deserves to be allowed on certain conditions. Hence the following order :-

ORDER

I. The application is allowed.

II. The applicant in connection with Crime No.279 of 2023 registered with Ahmedpur Police Station, Dist. Latur, for the offence punishable under Section 302 of the Indian Penal Code, 1860, be released on bail on furnishing personal bond of Rs.50,000/- with surety of the like amount on following conditions:-

- a) The applicant shall not pressurize the witnesses and tamper with the prosecution evidence in any manner.

(SANJAY A. DESHMUKH, J.)

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