



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.692 OF 2024

Godawari w/o. Rameshwar Karale & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr. Aniruddha B. Ghule Patil (through Video Conference),
Advocate for the Applicants.

Mr. Prasanna P. Malshe, APP for the Respondent-State.

Mr. K. M. Dhadvad, Police Officer, Pelhar Police Station. District-
Palghar, present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 21st FEBRUARY 2024

PC:-

1. Heard Mr. Ghule Patil, learned Counsel appearing for the Applicants and Mr. Malshe, learned APP appearing for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	1056 of 2023
2.	Date of registration of F.I.R.	01/12/2023
3.	Name of Police Station	Pelhar Police Station, District-Palghar
4.	Section/s invoked	363, 302 and 201 of the I.P.C., 1860

5.	Date of incident	01/12/2023
6.	Date of arrest	06/12/2023

3. The incident in question occurred on 1st December 2022. The deceased is 8 years old daughter of the Informant. The Applicants are neighbours of the Informant. The Applicants' son who is a child in conflict with law is aged 14 years. As per the prosecution case, the deceased aged 8 years and the said child in conflict with law aged 14 years were playing and there was some quarrel between them and unfortunately the child in conflict with law aged 14 years killed the deceased aged 8 years. The allegation against the present Applicants is that after the said incident, they tried to destroy the mortal remains of the deceased and therefore the allegation against the Applicants will at the most attract offence under Section 201 of the *Indian Penal Code, 1860*, which is a bailable offence.

4. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

5. There are no criminal antecedents against the present Applicants.

6. Mr. Ghule Patil, learned Counsel appearing for the Applicants states that as several witnesses are residing in the same locality as that of the Applicants, the Applicants will therefore not

reside within District-Palghar and that the Applicants will reside at c/o. Ganesh Karale, Room No.209, Sector 5, Koparkhairane, Navi Mumbai District-Thane.

7. The Applicants do not appear to be at risk of flight.

8. Accordingly, the Applicants can be enlarged on bail by imposing conditions. In view thereof, the following order:-

ORDER

(a) The Applicant No.1-Godawari w/o. Rameshwar Karale and Applicant No.2-Rameshwar s/o. Sudhakar Karale be released on bail in connection with C. R. No.1056 of 2023 registered with the Pelhar Police Station, Taluka-Vasai, District-Palghar on their furnishing P. R. Bond of Rs.10,000/- each with one or two sureties each in the like amount.

(b) The Applicants shall not enter the Palghar district after being released on bail, except for reporting to the Investigating Officer, if called and for attending the trial.

- (c) On being released on bail, the Applicants shall furnish their cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants shall report to the Koparkhairane Police Station, Navi Mumbai, District-Thane once in a month on first Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of the trial. The Police Inspector of Koparkhairane Police Station, Navi Mumbai, District-Thane to communicate details thereof to the Investigating Officer.
- (e) The Applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (f) The Applicants shall not tamper with the prosecution evidence and shall not contact or influence the

Complainant or any witness in any manner.

(g) The Applicants shall attend the trial regularly. The Applicants shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.

(h) The Applicants shall surrender their passport, if any, to the Investigating Officer.

9. The Bail Application is disposed of accordingly.

10. It is clarified that the observations made herein are *prima facie* and the Trial Court shall decide the case on its own merits and uninfluenced by the observations made in this order.

[MADHAV J. JAMDAR, J.]