



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

BAIL APPLICATION NO. 44 OF 2025

Gangaram @ Gangadhar S/o. Jairam Rithewad,
Age : 34 Years, Occu. : Agri,
R/o. Somthana At Post Somthana,
Tq. Umri, Dist. Nanded.

**... Applicant
(Ori. Accused No.1)**

VERSUS

The State of Maharashtra,
Police Inspector,
Police Station Umri,
Tq. & Dist. Nanded.

... Respondent

....
Advocate for Applicant : Mr. Gaurav Deshpande
APP for Respondent-State : Mr. V.M. Chate
....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 07th February, 2025

PRONOUNCED ON : 11th February, 2025

ORDER :

1. The applicant seeks enlargement on regular bail on account of his arrest in crime bearing No.0174 of 2024, registered at Umri Police Station, Dist. Nanded, for offences under Sections 307, 294 read with 34 of the Indian Penal Code, 1860.

2. Learned counsel for the applicant pointed out that, the applicant is arrested on 05.06.2024, in consequence to FIR dated 05.06.2024. That, there are allegations that the applicant stabbed his sister-in-law i.e. informant-victim. He took this court through the medical papers and pointed from the discharge card that there is attempt of tampering as regards to date of discharge is concerned.

3. Learned counsel submits that, there are allegations of assault in the backdrop of some share in the property. That, there is no direct or independent evidence. That, there is every possibility of injuries sustained to be self inflicted injuries i.e. for false implication. That, even the alleged article knife used is mere kitchen knife. That, now charge-sheet is filed against the accused persons itself. Same shows that the prosecution has proposed to examine 25 witnesses. He further submits that, till date, charge has not been framed and as such, it is his submission that, taking such material into consideration, there is no prospect of trial commencing soon or getting concluded at earliest. Learned counsel pointed out that, accused No.2 i.e. mother-in-law of the victim is already granted bail. That, the applicant and informant being resident of distinct place, there is no possibility of tampering evidence and when nothing is further shown to be recovered or discovered at his instance, he urges for grant of bail.

4. Learned APP strongly opposed the bail application on the ground that, the applicant has inflicted knife injuries on abdominal part and other parts of body of the informant-victim and because of timely medical intervention, victim managed to survive. That, she happens to be sister-in-law, who is widow. That, the applicant is brother-in-law and on account of share of property, above crime is committed. Moreover, both being relatives, learned APP expresses apprehension about misuse of liberty and for such reasons, he opposes the bail application.

5. Perused the papers and FIR. FIR is apparently at the instance of victim and she has given statement while she was undergoing treatment in hospital. She has reported that, she has lost her husband, she has children. She claims that, on account of losing husband, she was put up with her parents place at Dharjani. On 05.06.2024, she had been to her parents-in-law's place at Umbri. She claims that, her mother-in-law Vithabai, on telephone, called her son i.e. present applicant. That, the applicant came at home and initially, he started quarreling with the informant-victim questioning her visit and even abused her for seeking share in the property. She alleged that, he dragged her and by means of sharp weapon, inflicted blows on stomach, chest, elbow, etc. and tried to commit her murder. On

above report, crime is registered at Umri Police Station on that very day, for offences under Section 394, 294 read with 34 of the IPC.

6. On visiting medical papers, it is noticed that, the informant-victim has suffered as many as five injuries and out of them, four are penetrating injuries. The injuries inflicted apparently on Epigastrium and Hypochondrium and doctor has certified that all injuries are grievous in nature and to be fresh and possible due to sharp knife. The aspect of tampering of medical evidence on the discharge card cannot be considered at this stage. Taking into consideration such nature of allegations and victim having lost her husband and resides only with her small children and though she and applicant are residents of distinct place and though the charge-sheet is filed, this Court is not inclined to grant any relief at this stage at least. Hence, following order is passed.

ORDER

The application stands rejected.

[ABHAY S. WAGHWASE, J.]