



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2239 OF 2024

Sumanbai @ Shilabai W/o. Datta Dakhore,
Age : 71 years, Occu. : Household,
R/o. Kharbi, Tq. Hadgaon, Dist. Nanded.

... Applicant.

Versus

The State of Maharashtra,
Through Police Inspector,
Police Station, Mantha,
Tq. Hadgaon, Dist. Nanded.

... Respondent

...
Mr. P. P. More, h/f. Mr. Sopan Paruba Bhadge, Advocate for Applicant
Mr. C. V. Bhadane, APP for Respondent – State.

...

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 09 JANUARY, 2025

PRONOUNCED ON : 10 JANUARY, 2025

ORDER :

1. Applicant herein seeks enlargement on regular bail in Crime No.0066 of 2024 registered at Manatha Police Station, District Nanded for offence punishable under sections 302, 498-A, 323, 201, 504, 506 read with section 34 of Indian Penal Code.

2. Learned counsel submitted that, applicant is arrested in above crime on 08.05.2024 and since then she is behind bars. He pointed out that, FIR is of 07.05.2024 at the instance of one Laxmibai Namdeo Bhise, mother of deceased Vishranti. Learned counsel pointed out that said Vishranti died on 06.05.2024.

According to learned counsel, it is not sure whether it was suicide or homicide as according to him, there is mere ligature mark on the neck and description of the ligature injury does not rule out suicidal death. He further pointed out that, marriage was almost 9 years old. That, present applicant is mother-in-law and her role is not crystallized. That, she is behind bars since more than 7 months, nothing is to be recovered from her and for above reasons, learned counsel seeks relief of regular bail.

3. According to learned APP, investigation revealed that there was initial administration of poison and subsequent strangulation. That rope is seized. That, there are allegations of cruelty. That, homicidal death which has been established, has taken place in the house of husband and in-laws. That, there are allegations of cruelty in the backdrop of demand of Rs.50,000/-. That, there are several witnesses on the point of demand and cruelty. Learned APP took this court through the inquest panchanama and pointed out that there are injuries on the person of deceased. Resultantly, with serious allegations and ample material, learned APP opposes the relief of bail.

4. Heard. Perused the FIR and papers. It transpires that, daughter of informant namely, Vishranti was married to one Balaji nine years back. Mother, who lodged report, informed that, after

few years of marriage, husband, present applicant and one Shivaji Khandode suspected character of Vishranti and she was beaten and kept starved. It is claimed that in 2023, demand of Rs.50,000/- for plot was complied with, but later on again demand of Rs.50,000/- was said to be raised for construction and on such count it is alleged that cruelty was meted out to Vishranti. It is specifically alleged that husband after getting drunk used to issue threats to kill, if demand is not met. Informant claims that on 06.05.2024, he received call from his deceased daughter around 6:00 p.m., requesting him to send her brother-in-law to fetch her as it has become unbearable for her and around 9:00 p.m., news of death of daughter was received and therefore above report at the instance of mother. Present applicant is said to be arrested on 08.05.2024. She said to be 71 years of age. Primarily on going through the FIR allegations of getting drunk and beating are directed against husband, no specific role is assigned to present mother-in-law. Since last 7 months, she seems to be behind bars and nothing is shown to be recovered or discovered from her.

5. In the light of above material and also considering her age, relief as prayed deserves to be granted. Hence, the following order is passed :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Sumanbai @ Shilabai W/o. Datta Dakhore be released on bail in connection with Crime No. 0066 of 2024 registered with Manatha Police Station, District Nanded on executing P.B. of Rs.15,000/- with one surety in the line amount.
- (iii) Applicant shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE, J.)