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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 715 OF 2025

Bhausahab Mahadev Gadadare ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr. Sachin Deokar a/w Vignesh Ashokan, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 21st AUGUST, 2025.

P.C. :

1. Heard Mr. Sachin Deokar, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned APP for the State.

2. By the present Application, Applicant is seeking bail in Crime No. 905 of 2023 for the offences punishable under Sections 302, 304(B), 498(A) r/w Section 34 of the Indian Penal Code (for short "IPC") and Section 4 of the Dowry Prohibition Act, 1961, registered with Vadgaon Nimbalkar Police Station, Taluka Baramat, District Pune. Said crime is registered as Sessions Case No.67 of 2024 and is pending before the Court of Additional Sessions Judge, Baramati.

3. There are 4 Accused in the present crime. Applicant is Accused No.1, whereas his mother (Thakubai Mahadev Gadadare) is Accused No.2.

4. Case of the prosecution is that Surekha Gadadare (deceased) was the lawfully wedded wife of the Applicant. On 24th December, 2023, deceased Surekha was found dead in a farming pond near their house. Applicant and Accused No.2 are alleged to have committed murder of deceased Surekha, motive being dowry.

5. Applicant was arrested on 24th December, 2023. Bail Application at Exhibit 43 filed in Sessions Case No.67 of 2024 was rejected by the Additional Sessions Judge, Baramati on 10th January, 2025.

6. Mr. Sachin Deokar, learned Advocate for the Applicant, submits that there is no material on record to suggest any ill-treatment or any demand for dowry being made by Applicant from deceased Surekha or her parents. He submits that the neighbors namely Lahu Laxman Shinde. Hiranman M. Gadadare and Jayshree Santosh Kargal, in their statements have not made any reference to deceased Surekha either being ill-treated or being abused at the hands of the Applicant or his mother. He submits that the Applicant is a bank employee and is based in the city of Pune. He submits that the Applicant used to visit the matrimonial house on weekends. He submits that even the inquest Panchnama indicates that the Applicant was wearing all her ornaments and there are no signs of any injuries on the body of deceased Surekha. He submits that the allegations made against the Applicant and Accused No.2 are similar. He submits that Accused No.2 has been released on bail by this Court vide order dated 8th October, 2024 passed in Criminal Bail Application No.2769 of 2025. He tenders a copy of the said order, which is taken on record and marked 'X' for identification. He submits that all the other Co-Accused are released on bail.

7. Ms. Anamika Malhotra, learned APP for the State, fairly submits that the statement of witness by Lahu Laxman Shinde (on page 100 of the paper book) would be relevant in the context of him being the last person to have spoken to deceased Surekha. By referring to the said statement, she submits that Lahu Laxman Shinde has referred to his conversation with deceased Surekha. She submits that his conversation as recorded in the statement does not indicate any ill-treatment to deceased Surekha by the Applicant.

8. I have perused the records with the assistance of the Advocates of the parties.

9. None of the witnesses as referred to by Mr. Sachin Deokar, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned APP for the State, indicate of deceased Surekha being ill-treated by the Applicant.

10. Investigating Officer has recorded statement of one Diya Baban Ghule, a friend of deceased Surekha. In her statement, Diya Baban Ghule has made reference to deceased Surekha on one occasion informing her that the Applicant is not of her standard and that she does not have love or feeling for the Applicant. Diya Baban Ghule has not referred to deceased Surekha making any grievance of the behavior of the Applicant or the Applicant ill-treating her. Prima facie, there is no material on record to indicate any ill-treatment of deceased Surekha at the hands of the Applicant. Further, there is no material placed on record to indicate that the Applicant having any motive to commit the murder of deceased Surekha. Accused No.2, on identical allegations has been granted bail. Co-accused are also released on bail.

11. Considering the nature of allegations and material on record further incarceration of the Applicant pending the trial of Sessions Case No. 67 of 2024 is not warranted. The Applicant is entitled to bail.

12. In view of the above, the Applicant is released on bail on the following conditions:-

(a) Applicant is directed to be released on bail in connection with Crime No.905 of 2023, registered with Vadgaon-Nimbalkar Police Station, Baramati, upon furnishing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount, to the satisfaction of the Additional Sessions Judge, Nashik.

(b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade such person from disclosing the facts to the Court or any police officer and should not tamper with evidence.

(c) Applicant upon release, within 3 days shall furnish to the Investigating Officer, Vadgaon-Nimbalkar Police Station, Baramati, his residential address with proof and the contact numbers and to keep the Investigation Officer intimated about the change in the same from time to time.

(d) Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of Sessions Case No. 67 of 2024 pending on the file of Additional Sessions Judge, Baramati, on each and every date, unless exempted from appearance.

(e) Applicant shall appear and attend before the Investigation Officer, Vadgaon-Nimbalkar Police Station, Baramati, on the 1st Saturday of every month from 10.00 a.m. to 12.00 noon, till the framing of charge in Sessions Case No. 67 of 2024.

13. Criminal Bail Application No. 715 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE, J.)