

Order below Exh.1 in Cri.M.A.(Bail) No.806/2019
[Sunita Vijay Padval & anr. Vs. State]
CNR NO.MHSN01-002877-2019

[1] The applicants no.1 and 2 have filed this application for anticipatory bail in the event of their arrest in connection with C.R. No.175/2019 registered with Kavathe Mahankal Police Station. They state that they have been charged with the offences punishable under Sections 498A, 323, 504 r.w. 34 of the Indian Penal Code.

[2] The advocate for the applicants submitted that the applicant no.1 is sister-in-law and the applicant no.2 is the husband of applicant no.1. They state that the complainant Archana Manoj Borhade was married with the brother of applicant no.1 Manoj Baban Borhade on 06.05.2018. They state that there are vague and general allegations against them. They are not residing in the house of co-accused and their names are mentioned in complaint only because they are the relatives of the co-accused. They state that there is no any criminal antecedents against them. So they have requested to allow this application.

[3] The Police have filed say at Exh.6 and strongly opposed this application. They state the applicants/accused may abscond, they may not co-operate in investigation and this is a serious offence.

[4] Heard the advocate Shri K.A. More for the applicants and Shri V.M. Kulkarni, APP for the State at length.

[5] After hearing the advocate for the applicants, I am of the view that the applicants are residing separately at Tinewadi. They have immovable property, they are not likely to abscond, they are the relatives of the co-accused. There is no previous antecedents of quarrel amongst the applicants and the complainant. The allegations made against the applicants appears to be general and prima facie there is no direct evidence against them. Considering the contentions of applicants/accused, they need to be released on bail till filing of the charge sheet. Hence, I pass the following order.

Order

1. The application is allowed.
2. In the event of arrest of applicants no.1 and 2 in C.R.No.175/2019 of Kavathe Mahankal Police Station, under Sections 498A, 323, 504 r.w. 34 of I. P. C. they be released on P. B. & S. B. of Rs.25,000/- each with one or two sureties of like amount till filing of the charge sheet.
3. 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 them from disclosing such facts to the Court or to any Police Officer.
4. The applicants are directed to co-operate the Investigating Agency and to attend the Police Station as and when called by IO.

5. Violation of any of the above mentioned condition, would result in cancellation of bail.
6. Inform concern P. S. accordingly.

Sangli
Date:19.07.2019.

(P.G. Bhosale)
Additional Sessions Judge, Sangli.

CERTIFICATE

I affirm that, the contents of this P.D.F. file Order are same, word to word, as per the original order.

Name of Stenographer : M.P. Bhoite

Court : District Judge-6, Sangli.

Date : 19.07.2019.

Order signed by the Presiding Officer on : 19.07.2019.

Order uploaded on : 20.07.2019.