

Order Below Exh.1 in Cri.Bail Appln.No.242/2022

Sampat Sarjerao Uphade Vs. State.

CNR No.MHNS010007162022

Heard: Ld. Adv. Mr. A. K. Kale for the applicant/
accused.
Ld. A.P.P. Smt. S. S. Sangle for the State.

1. This is an application under section 439 of the Code of Criminal Procedure in Crime No.24/2022 registered at Police station Indiranagar Nashik for the offence punishable under sections 498-A, 304B, 323 & 504 r./w. Sec. 34 of the Indian Penal Code, 1860. It is the case of prosecution in brief that the accused persons(husband and in-laws of the deceased) inflicted physical and mental cruelty on her due to which she committed suicide. The accused persons used to ask the victim to bring ₹ 2,00,000/- to purchase a vehicle. The applicant herein is the father-in-law of the deceased.

2. Ld. Adv. for the applicant has submitted that the applicant is not the prime accused. The allegations are vague and bald. There is no specific allegation against the applicant. He is ready to abide by the terms and conditions imposed by the court.

3. Per contra, Ld. A.P.P. has opposed the bail application on the ground that there is *prima-facie* case against the applicant. Investigation is in progress and charge-sheet is yet to be filed.

4. Applicant is not the prime accused. Offence is not punishable by life imprisonment/death. Applicant is ready to

abide by the terms and conditions imposed by the Court. No purpose will therefore be served by keeping the applicant behind bars. In view thereof, I am inclined to allow the application subject to the following terms and conditions.

ORDER

- 1] Application is hereby allowed.
- 2] Applicant Sampat Sarjerao Uphade be released on bail by executing P.R. and S.B. of ₹30,000/- with one or two solvent sureties of like amount.
- 3] Applicant shall not directly or indirectly, make any inducement, threat or promises to any person acquainted with the facts of accusation, so as to dissuade him/her from disclosing such facts to the Court or to the police officer and shall not tamper with the prosecution evidence in any manner.
- 4] Applicant shall not commit any offence and shall attend all dates of hearing after the charge-sheet is filed.
- 5] Applicant is duty bound to inform the I.O. and the court about his change of address, if any.
- 6] Applicant shall furnish residence and ID proof of two blood relatives to the I.O.

Nashik
04/03/2022

Mridula Bhatia
District Judge-2 and
Addl. Sessions Judge,
Nashik.