

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

CRIMINAL APPLICATION NO.4357 OF 2015

Yogesh s/o Nana Ghugare,
Age 27 years, Occu. Agriculturist,
R/o Koradgaon, Taluka Pathardi,
District Ahmednagar

.. Applicant
(Original accused No.9)

Versus

The State of Maharashtra

..Respondent

Mr H.V. Tungar with Mr H.B. Pawar, Advocates for applicant
Mr S.R. Palnitkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 2nd September 2015

PER COURT

Heard.

2. The applicant is accused in Crime No.I-400/2014 registered at Pathardi Police Station, Taluka Pathardi, District Ahmednagar, for the offence punishable under Sections 306, 504 read with Section 34 of the Indian Penal Code, pursuant to the first information report dated 25th December 2014. The applicant was arrested on 13th July 2015.

3. Perusal of the first information report reflects that the applicant is blessed with two children and after having married with Vanita, they were in the custody of Vanita's mother. It is further claimed that deceased Sanjay suspected the fidelity of his wife Vanita by narrating that she had illicit relations with present applicant and one Ganesh Kshirsagar.

4. Though the first information report in the present case was registered on 25th December 2014, the fact remains that the charge-sheet in the present case is not filed till date.

5. The narration in the first information report speaks of the illicit relations of present applicant with Vanita, however, the applicant herein has forced the deceased Sanjay to commit suicide is not prima facie noticed to have been established.

6. In view thereof and having regard considered that the applicant is in jail since 13th July 2015, it will be appropriate, in my opinion to order release of the applicant, on following conditions:

(I) The applicant be released on bail in Crime No.I-400/2014 registered at Pathardi Police Station, Taluka Pathardi, District Ahmednagar, for the offence punishable under Sections 306, 504 read with Section 34 of the Indian Penal Code, upon furnishing P.R. Bond of Rs.10,000/- (Rs.Ten thousand) with one surety in the like amount.

(II) The applicant shall keep himself outside the jurisdiction of Taluka Pathardi till filing of the charge-sheet.

7. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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