

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 7023 OF 2014
WITH
CRIMINAL APPLICATION NO. 80 OF 2015

Ajinath Dagadu Atole

...Applicant.

Versus

The State of Maharashtra & Anr.

....Respondents.

Mr. S.J. Salunke, Advocate for applicant.

Mr. M.M. Nerlikar, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 7th January, 2015.

ORDER :

1. The application is filed for relief of anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.

2. The crime is registered on the basis of report given by one Raosaheb Sangle, father of deceased. Present applicant is cousin of husband of deceased. Allegations are made that present applicant had evil eye on the deceased, who was aged about 26 years. Allegations are made that deceased had disclosed about the conduct of the present applicant to her

parents and attempt was made to see that applicant improves his conduct. It is contended that the members of the family of the applicant did not believe in the allegations made by the deceased and the applicant continued to tease and harass the deceased. On 3.11.2014 deceased contacted her father and informed that on that day, the present applicant was continuously after her, he was using filthy language and he was teasing her and he was touching her body by slapping her. She expressed that she was frustrated due to this conduct of applicant and she wanted to commit suicide. On the same day, she committed suicide by jumping in to well. She has left behind a note in which the applicant is blamed for her suicide. There is statement of husband of deceased which is consistent with the aforesaid allegations made by the complainant.

3. The learned counsel for the applicant submitted that on 1.11.2014 the applicant had attended his exam and he was preparing for the next paper of exam and it is not possible that he was behaving in this way with the deceased who was much older to him. This submission is not at all acceptable at this stage in view of the aforesaid record of investigation. Indian lady does not tolerate such behaviour and when she is a married woman. She has specifically blamed the present applicant in

both the oral and written dying declaration. In view of these circumstances, this Court holds that it is not a fit case to grant relief of anticipatory bail to the applicant.

4. In the result, the application is rejected. Observations are for the purpose of present proceeding only.

5. Application filed for assisting the learned APP is allowed and disposed of.

[T.V. NALAWADE, J.]

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