

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2253 OF 2015**

Ganesh Shivdas Waghmare

... Applicant

v/s

The State of Maharashtra

... Respondent

Mr Jaydeep D. Mane for Applicant.

Mrs R.V. Neuton, APP for State.

CORAM: SMT ANUJA PRABHUDESAI J.

DATE : 19TH NOVEMBER 2015

P.C. :-

1. This Application for bail is filed by the aforesaid Applicant who is arrested in C.R. No.195 of 2015 by Karmala Police Station, Solapur for the offences punishable under sections 306, 504, 354(D)(1)(1) r/w section 34 of IPC.

2. Heard learned counsel for the Applicant and the learned APP for the State. The records, prima facie reveal, that one Navnath Borade had committed suicide and his nephew Padmakar Ghanvat

had lodged a FIR alleging that one Shri Waman T. Shinde (Accused No.1) was a Professor in the College wherein the daughter of the deceased was studying. The said Waman Shinde had expressed his one sided love to the daughter of the deceased. The said conversation had gone viral on social media network. It is alleged that the deceased was under mental stress and tension on account of the said audio cassette going on social media network. Unable to face the humiliation and to cope up with the mental stress and trauma, the father of the victim committed suicide. The Applicant claimed that Waman Shinde was responsible for driving the said Navnath to commit suicide. Hence the aforesaid FIR was registered against Shri Shinde and other accused persons.

3. The record prima facie reveals that one of the witnesses had stated that the Applicant herein had shown the audio cassette to the wife of the Accused No.1 and that he had demanded money from her. The question whether the said act which is attributed to the Applicant No.1 would be sufficient to attract the offence under section 306 of IPC is debatable. Besides the above statement, prima

facie thee is no other material to link to Applicant with the crime.

4. Considering the nature of the allegations leveled against the accused and also considering the fact that since the accused is in custody from 28th September 2015 and charge-sheet is already filed, in my considered view, no purpose will be served in keeping the Applicant behind the bars. The Applicant is therefore entitled for bail.

5. Hence, the Application is allowed, subject to the Applicant furnishing a bail bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the Sessions Judge, Barshi. The applicant shall not interfere with the witnesses and shall not tamper with the evidence in any manner. The applicant shall remain present before the Court as and when required. Application is disposed off.

(SMT ANUJA PRABHUDESAI J.)