

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 839 OF 2015

Pratap Laxmi Patel

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. S. D. Patil for Applicant

Ms. P. P. Shinde APP for the State.

Mr. Prashant S. Shirke P.S.I., Navghar Police Station,  
Thane, Rural.

**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATED : 23<sup>rd</sup> JUNE 2015**

**PC :**

Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in crime no. 116 of 2015 registered at Navghar Police Station for offence punishable under section 306 r/w 34 of Indian Penal Code.

2) It is the case of prosecution that one Smt. Hema Trivedi lodged a report on 15/04/2015 alleging therein that her husband was engaged in the profession of arranging loans i.e. loan agent. In the office of her husband, Sanjay Mishra and Yogendra Singh were working as estate agents. That according to her, Chitralkha Jha and her husband Shrichand Jha had given

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loan of Rs. 8,00,000/- to Smt. Anju Bangera. Interest rate was 8%. According to complainant, Anju Bangera was not repaying the said loan, but since her husband had acted as a mediator, Jha family had called upon her husband on 26/03/2015 and had forced him to sign the documents thereby transferring his house in the name of Jha family. It is also alleged that some people had threatened her husband of dire consequences. On 28/03/2015, her husband had attempted to commit suicide. He was admitted in Jeevandayi Charitable Trust Hospital on 04/04/2015. On 05/04/2015, her husband had expired. He had caused injury to himself by cutting his nerves with a sharp razor. It is alleged that in the suicide note, her husband has referred to seven persons for being responsible for his suicidal death. He has named one Pratap. He has not given full name of present applicant, however, it is presumed that it is present present.

3) Learned counsel for the applicant submits that applicant is working as tea vendor and has tea stall in front of office of the husband of complainant. That according to him, applicant is no way concerned with the transactions between Jha and Bangera Family.

4) In any case, it cannot be said that applicant had aided or abetted the

commission of suicide and hence, applicant deserves grant of pre-arrest bail. It is made clear that Observations made herein above are prima facie in nature and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

**ORDER**

- (i) Application is allowed.
- (ii) In the event of arrest, applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- with one or two sureties in the like amount.
- (iii) Application stands disposed of.

**(SMT. SADHANA S. JADHAV, J.)**