

ANTICIPATORY BAIL APPLICATION NO.906 OF 2015

Section 354 of the Indian Penal Code in respect of the minor daughter of the applicant/accused. He was arrested and thereafter released on bail in that case. Thereafter on 8th June, 2015 in the morning, the co-accused Ramesh Chavan asked the deceased to leave the room otherwise the applicant/accused would implicate him falsely in other case. It is the case of the complainant that, thereafter in the intervening night of 8th and 9th June, 2015 his brother Anil hanged himself. Then the offence was registered.

3. The learned counsel for the applicant/accused has submitted that the applicants/accused did not ask the co-accused Ramesh Chavan to go and threaten the deceased and they have not committed any offence under Section 306 of the Indian Penal Code.

4. The learned prosecutor opposed the application. She relied on the statements of witnesses disclosing that co-accused Ramesh Chavan did threaten the deceased that the applicant/accused would implicate him falsely in some case if he would not vacate the room.

5. *Prima facie* the ingredients of section 107 of Indian Penal Code are not seen in this case. Hence, no case falling under section 306 of the Indian Penal Code is made out. Therefore, pre arrest bail is granted to the applicants/accused.

6. Hence, I grant anticipatory bail as under:

- a) In the event of arrest, the applicants/accused be enlarged on bail upon furnishing P. R. Bond in the sum of Rs. 20,000/- (Twenty Thousand) each with one or two solvent surety/s in the like amount;
- b) The applicants/accused shall cooperate the investigating officer and shall attend concerned police station once in a week on every Thursday in between 11 am to 12 noon till filing of the charge sheet.
- c) The applicants/accused shall not indulge in any other criminal activity or pressurize the complainant.

7. Anticipatory bail application stands disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)