

nsc.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1521 OF 2015

Somanath Suresh Landage ... Applicant
Vs
The State of Maharashtra and Anr. ... Respondent

Mr.Rakesh Bhatkar i/b Mr.Bhagwan Thorat, for the Applicant.
Mr.S.H.Yadav, APP for the Respondent – State.

**CORAM : REVATI MOHITE DERE, J.
DATE : 20th AUGUST, 2015**

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the Respondent - State.
2. By this Application, the Applicant seeks his enlargement on bail, in connection with C.R. No.111 of 2015, registered with the Mundhawa Police Station, Pune, for the alleged offences punishable under Section 306 r/w 34 of the Indian Penal Code.
3. According to the prosecution, the complaint has been lodged by the father-in-law of the deceased – Sagar Shinde. It is alleged by the complainant that the deceased – Sagar committed suicide by consuming

pesticide as he was harassed by the one Dhumal and others and that they were demanding back the money which they had given to the deceased – Sagar.

4. Learned Counsel for the Applicant submitted that the name of the present applicant does not find place in the FIR. He submitted that even otherwise no offence under Section 306 is made out as against the present applicant.

5. Learned APP opposed the bail application. He submitted that that although the name of the applicant does not find place in the FIR, the suicide notice clearly records that the applicant was harassing the deceased and had taken away his motorcycle on account of which the deceased could not take his children out. He submitted that the suicide note also shows that the applicant was demanding a sum of Rs.22,00,000/- which the applicant had given to a third person via the deceased – Sagar.

6. Perused the charge-sheet, FIR and the suicide note. Yesterday vide order dated 19th August, 2015, this Court has enlarged the co-accused -

Dhumal on anticipatory bail. Considering the nature of allegations as against the present applicant, *prima facie* it is doubtful whether an offence under Section 306 is made out. Accordingly, the Applicant deserves to be enlarged on bail on the following terms and conditions :-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;
- ii) The Applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case ;
- iii) The Applicant shall co-operate in the conduct of the trial.

7. The Application is allowed and disposed of in above terms.

8. It is made clear, that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. Parties to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.