

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.400 OF 2016

Uttam Suryabhan Pawar,
Age 52 years, Occu. Business,
R/o Wala, Taluka Renapur,
District Latur,
at present at Latur

..Applicant

Versus

The State of Maharashtra,
through Kingaon Police Station,
Taluka Kingaon, District Latur

..Respondent

Mr A.V. Patil (Indrale), Advocate for applicant
Mr M.M. Nerlikar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 4th February 2016

PER COURT

Heard.

2. The applicant is seeking regular bail in Crime No.82 of 2015, registered on 23rd December 2015 at Police Station, Kingaon, District Latur, for the offences punishable under Section 306, 504 read with sec.34 of Indian Penal Code, for the alleged incident dated 15th December 2015.

3. Learned Counsel for the applicant, while trying to make out a case for grant of bail would urge that the applicant is entitled for bail, in view of the fact that no specific role is attributed to the applicant in commission of crime in question. He has invited attention of this Court to the contents of F.I.R. so as to draw support.

4. Learned A.P.P. opposed the application on the ground that the death of victim occurred on 18th December 2015, however, perusal of

F.I.R. depicts the circumstances, which have prompted the filing of F.I.R. on 23rd December 2015. He would then urge that there is detailed handwritten note in the handwriting of deceased, which was a basis for lodging the F.I.R., in which the applicant is also referred as an accused. According to him, the investigation is at preliminary stage, as such the application be rejected.

5. With the assistance of learned A.P.P., I have read the contents of alleged suicidal note.

6. Except for referring the name of applicant, no other role in the crime in question is attributed to the him, particularly, about abetment to suicide by the deceased. Apart from this, in F.I.R. also there is only a reference to the name of applicant as an accused.

7. The investigation does not depict any prima facie material against the applicant in the crime in question. In that view of the matter, applicant deserves to be released on bail.

8. As such, the application stands allowed. The applicant be released on bail in Crime No.82 of 2015, registered on 23rd December 2015 at Police Station, Kingaon, District Latur, for the offences punishable under Section 306, 504 read with sec.34 of Indian Penal Code, for the alleged incident dated 15th December 2015, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

(N.W. SAMBRE, J.)