

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

Criminal Application No. 2718 of 2016

District : Aurangabad

1. Seema w/o. Ravindra Khillare,
Age : 30 years,
Occupation : Household.
2. Kalpana w/o. Deepak Khillare,
Age : 23 years,
Occupation : Household.
3. Prakash s/o. Keshav Jadhav,
Age : 28 years,
Occupation : Business.

All R/o. Bagsher Jung,
Near Rama Nagar, Darga Road,
Kranti Chowk, Aurangabad,
District : Aurangabad.

.. Applicants.

versus

The State of Maharashtra,
Through Police Station,
Osmanpura, Aurangabad,
District : Aurangabad.

.. Respondent.

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Mr. S.J. Salunke, Advocate, for the applicants.

*Mr. S.Y. Mahajan, Addl. Public Prosecutor, for
the respondent.*

*Mr. Dhananjay A. Naik, Advocate, for the
original complainant.*

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CORAM : N.W. SAMBRE, J.

DATE : 22ND JUNE 2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail in connection with Crime No. 78/2016, registered at Osmanpura Police Station, Aurangabad, for the offence punishable under Section 306, read with Section 34 of the Indian Penal Code, which was registered on April 15, 2016, for the alleged incident occurred from 1st October 2014 to 5th April 2016.

3. The prosecution story as against the present applicants is, the deceased Chandrakant, son of complainant Jijabai, committed suicide on April 5, 2016, leaving behind the suicide note naming one Ravindra Khillare, his wife (present applicant no.1), Deepak Khillare, his wife (present applicant no.2) and Prakash Keshav Jadhav (present applicant no.3) as persons responsible for abetting the suicide.

4. The co-accused, namely, Ravindra s/o. Bhimrao Khillare and Deepak s/o. Bhimrao Khillare are already released on pre-arrest bail vide order dated 17.06.2016, in Bail Petition No. 916/2016, passed by

the learned Additional Sessions Judge, Aurangabad.

5. Apart from above, it is to be noted that there is inordinate delay of 10 days in lodging the FIR for which no explanation has come forward.

6. In my opinion, the applicants deserve to be granted pre-arrest bail on the ground of parity as the set of evidence as is available against the other two co-accused is similar to the one available against the present applicants.

7. Hence, the Application is allowed.

The ad interim protection granted to the applicants - Seema w/o. Ravindra Khillare, Kalpana w/o. Deepak Khillare and Prakash s/o. Keshav Jadhav, vide order dated 17th May 2016, passed by this Court, is confirmed. However, condition imposed upon them to attend Osmanpura Police Station, Aurangabad, on every Sunday is modified and hereafter, the applicants shall attend the said Police Station as and when reasonably called by the Investigating Officer for the purpose of investigation / interrogation. The applicants shall not try to tamper with the prosecution evidence in any manner whatsoever.

8. The Criminal Application stands disposed of
in the aforesaid terms.

(N.W. SAMBRE)
JUDGE

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puranik / CRIAPPLN2718.16