

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

Criminal Application No. 4013 of 2016

District : Beed

Rajesh s/o. Sukhdev Kedare,
Age : 35 years,
Occupation : Driver,
R/o. Sai Ram Sai Shyam Apt.,
Room No.2, Ground Floor,
Karjat MIDC Road,
Near Meenatai Thackrey Garden,
Badlapur, Kulgaon - 421 503,
Dist. Thane (Maharashtra). .. Applicant.

versus

The State of Maharashtra,
Through Inspector of Police,
City Police Station,
Beed, Taluka & District : Beed. .. Respondent.

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*Mr. M.S. Karad & Mr. S.V. Misale, Advocates, for
the applicant.*

*Mr. A.S. Shinde, Addl. Public Prosecutor, for the
respondent.*

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CORAM : A.M. BADAR, J.

DATE : 19TH SEPTEMBER 2016

ORAL ORDER:

The applicant / accused in Crime No. 99/2016
for offences punishable under Sections 498A, 323,

504, 506, read with Section 34 of the Indian Penal Code, registered with Beed City Police Station, District Beed, by this application, is seeking pre-arrest bail.

2. Heard the learned Counsel appearing for the applicant / accused as well as the learned Addl. Public Prosecutor appearing for respondent / State.

3. The learned Addl. Public Prosecutor has opposed the application by contending that statement of the informant is corroborated by statements of her parents which reflect cruelty as well as threatening to the informant for giving divorce to the applicant.

4. Perused papers of investigation. The applicant is the husband of informant Yogita. The FIR itself reveals that since last two years she was not residing with the present applicant. Averments in the FIR are to the effect that the applicant and in-laws of the informant were assaulting her and giving taunts to her. It is further alleged that on 05.11.2015, the applicant and matrimonial relatives of the informant came to the house of maternal uncle of the informant and threatened her to sign papers of divorce. The FIR came to be lodged on 29.02.2016 though the incident allegedly took place on 05.11.2015.

5. Considering the nature of averments as well as the nature of crime in question, custodial interrogation of the applicant is not warranted.

6. Hence, I pass the following order :-

(a) The Application is allowed.

(b) Interim protection by way of ad interim anticipatory bail granted vide order dated 2nd September 2016 is confirmed on the same terms and conditions. In addition, the applicant shall attend concerned Police Station on 25th September 2016, in between 11.00 a.m. and 01.00 p.m. and he shall cooperate the Investigating Officer in investigation of the crime in question.

7. The Application stands disposed of in the aforesaid terms.

(A.M. BADAR)
JUDGE

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