

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

ANTICIPATORY BAIL APPLICATION NO. 1326 OF 2016

Shri. Hitesh Kishanlal Suthar & Ors. Applicants

Vs.

The State of Maharashtra & Ors. Respondents

Mr. Rishi Bhuta, Advocate for the Applicants.
Smt. J.S. Lohokare, APP for the State of Maharashtra.
Mr. V.O. Dubey, Advocate for Respondent no.2.
PSI Netra Mule, Samta Nagar Police Station present.

Coram : N.W. SAMBRE, J.
Date : 5th December, 2016

P.C.

1 The applicants are seeking pre-arrest bail in C.R. No. 310 of 2016, registered with Samta Nagar, Police Station, Mumbai for the offences punishable under Sections 498-A, 406, 354(A), 34, 323 Indian Penal Code.

2 Applicant no.1 claimed to have married the complainant on May 25, 2015. It is claimed that since then there were no physical relations between applicant no.1 and the complainant and rest of the applicants have ill-treated her on the issue of demand of dowry and have taken recourse to black magic to be administered to the

complainant as the applicants were under the impression that the complainant is under shadow of some ghost.

3 Perused the investigation papers. There appears prima facie involvement of all the applicants in the crime in question.

4 The mediation on the issue remained unsuccessful till date though this court has time and again granted time to the applicants for settling the matter. Prima facie ingredients of Section 498-A Indian Penal Code are very much satisfied. No case is made out for pre-arrest bail to the applicants. The application fails and hence rejected.

5 Since the applicants were on bail for about six months, the effect and implementation of this order is stayed for a period of two weeks from the date of this order.

(N.W. SAMBRE, J.)