

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1997 OF 2016

Manik Sukhdev Patil	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Shriram S. Chaudhari, Advocate for the applicant.
Mr. S.S. Pednekar, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 30th September, 2016.

P.C.

1. Heard. This is an application under Section 439 of Cr.P.C. The applicant herein is arrested on 26.8.2016 in Crime No.390 of 2016 registered at Tembhurni Police Station, Tal. Mahda, Dist. Solapur for the offences punishable under Sections 306 and 201 read with Section 34 of IPC.

2. It is the case of the prosecution that on 26.8.2016, Navnath Chandankar lodged a report at the police station alleging therein that on 27.6.2016 at about 9.30 a.m., he had received unanimous call informing him that his brother-in-law had committed suicide by hanging himself to

the tree. Thereafter, he had rushed to the spot and had seen his brother-in-law Kalyan Yadav hanged to the tree. People had gathered at the said spot. That he found a chit in the pant pocket of the deceased. The complainant had detained the said chit and pen. The unknown person who was accompanying had obstructed him from detaining the said chit. That they had taken the dead body to their house. It is alleged that Mahesh Talekar lured the family members of the deceased that he would give them employment and on the said ground post-mortem was not conducted on the dead body.

3. On the next day i.e. 28.6.2016, he had read the chit and had found that deceased had held Shankar Londhe, Headmaster of Rajabhau Talekar School, Chaya Londhe resident of Tembhurni and Manik Sukhdeo Patil who was working in Bhairavnath School responsible for his suicidal death. The present applicant Manik Patil was working as a Headmaster at Bhairavnath Vidyalaya Alegaon where the deceased was transferred.

4. It prima facie cannot be said that the applicant herein had abetted, facilitated or instigated Kalyan Yadav to commit suicide. That the deceased was working as a clerk in Bhairavnath Vidyalaya for almost 20 years and then transferred to Rajaram Talekar School. It therefore cannot be said that the applicant herein had in any way abetted, the commission of

suicide. Hence, the applicant deserves to be enlarged on bail.

5. The above observations are prima facie in nature and shall not be considered at the time of consideration of application for quashing, discharge application or at the time of trial.

ORDER

- (i) The application is allowed.
- (ii) The application be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
- (iii) The applicant shall report to the concerned police station as and when called.

The application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)