

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

Criminal Application No. 01097 of 2017

District : Latur

Sachin s/o. Uttamrao Mane,
Age : 23 years,
Occupation : Agriculture,
R/o. Taluka Latur,
District Latur.

.. Applicant.

versus

The State of Maharashtra,
Through P.S.M.I.D.C. Police
Station, Dist. Latur,
In Crime No. 407/2016.

.. Non-applicant.

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Mr. D.D. Sarvade Patil, Advocate, for the applicant.

*Mr. S.M. Ganachari, Addl. Public Prosecutor, for
the non-applicant.*

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CORAM : T.V. NALAWADE, J.

DATE : 24TH MARCH 2017

ORAL ORDER :

By the present application, the applicant is seeking pre-arrest bail in connection with Crime No. 407/2016, registered with MIDC Police Station, Latur, for offences punishable under Sections 306, 506 read with Section 34 of the Indian Penal Code.

02. The crime is registered on the basis of report given by one Suraj s/o. Someshwar Chivate. He has made allegation that due to harassment of present applicant, Sachin s/o. Uttamrao Mane, father of Suraj committed suicide. The papers of investigation and contentions of Suraj show that he had taken hand loan from many persons. He had given in writing about the loan taken to many persons and to present applicant also. From the present applicant, he had taken amount of Rs. 20,000/-. There are allegations that the present applicant and others from whom loan was taken, were harassing Suraj and also his father and they had given threat of life to Suraj. Allegation is made that due to this, father of Suraj committed suicide by hanging himself in his field.

03. It can be seen that no suicide note is left by the suicide. It can be seen that most of the transactions were done by Suraj as he had taken loan. If amount of Rs. 20,000/- was taken from present applicant and something in writing was obtained by the present applicant from Suraj, it cannot be said that anything wrong was done by the applicant. It is not a case that more amount was shown in the document than the amount obtained by the applicant from Suraj. There is no record of repayment with Suraj to show that

how much amount was repaid. There can be many reasons for committing suicide by father of the complainant. Now-a-days, youngsters are not behaving properly and they are creating burden for their parents.

04. Copy of the order dated 13.02.2017 in Criminal Application No. 460 of 2017 is produced by the learned Advocate for applicant, in order to show that the applicant therein, namely, Bablu @ Abhijeet s/o. Bharat Shelke, against whom similar allegations are made by Suraj, is granted relief of pre-arrest bail. In that view of the matter, this Court holds that similar relief needs to be granted to the present applicant.

05. In the result, the Application is allowed.

In the event of arrest of the applicant - accused, in the above crime, he be released on bail on his executing P.B. & S.B. of Rs. 15,000/-, on the following conditions :-

(i) The applicant shall attend the concerned Police Station for one month on every Sunday, between 09.00 a.m. and 11.00 a.m. and co-operate the Investigation Officer in investigation of the

crime in question.

(ii) The applicant shall not indulge in commission of similar offences in future.

(iii) The applicant shall not contact any of the prosecution witnesses and he shall not tamper with the prosecution evidence in any manner whatsoever.

(T.V. Nalawade)
JUDGE

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