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

CRIMINAL APPLICATION NO.1256 OF 2017

Prabhakar s/o Kachru Lahane,
Age: 55 years, Occ: Agri.,
R/o. Bajiumurad,
Tq. & Dist. Jalna.

..APPLICANT

VERSUS

1. The State of Maharashtra
Through the Chief Secretary,
Home Department, Mantralaya,
Mumbai-32.
2. The Superintendent of Police,
Jalna, Through Police Station,
Maujuri, Tq. & Dist. Jalna.
3. Manisha w/o Santosh Lahane,
Age: 22 years, Occ: Household,
4. Sharda w/o Rameshwar Koli,
Age: 35 years, Occ: Household,
5. Sandeep s/o Haribhau Parkhe,
Age: 23 years, Occ: Labour,
6. Haribhau s/o Barkuji Parkhe,
Age: 60 years, Occ: Labour,
7. Mukinda s/o Haribhau Parkhe,
Age: 24 years, Occ: Labour,

Res. No. 5 to 7 are
R/o. Davergaon, Tq. Shindkhedraja,
District Buldhana.

..RESPONDENTS

Mr V.M. Humbe, Advocate for applicant;
Mr S.J. Salgare, Addl. Public Prosecutor for
respondent Nos. 1 and 2

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CORAM : N.W. SAMBRE, J.**DATE : 9th MARCH, 2017****ORAL ORDER :**

Respondents-accused were granted pre-arrest bail in Crime No. 19 of 2017, registered with Police Station, Moujpuri, District Jalna, for offence punishable under Section 306 read with Section 34 of the Indian Penal Code, vide order dated 20th February, 2017 passed by learned Sessions Judge, Jalna, which order is questioned in the present application.

2. Mr. Humbe, learned Counsel for the applicant would make categorical submission that the names of respondents-accused with specific role are very much noticed in the contents of the first information report. According to him, the complainant's son was son in law of the respondents-accused persons and it is because of the treatment meted out to him, the demand of money for construction of the house, victim has committed

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suicide. According to him, ingredients of Section 306 of the Indian Penal Code could easily be inferred against the respondents-accused persons.

3. Learned Additional Public Prosecutor supported the contentions and sought cancellation of bail.

4. It is to be noted that victim Santosh was married to one of the respondent-accused Manisha. As there were differences between Santosh and Manisha, upon mediation proceedings undertaken by the parties, said Santosh started residing with his in laws. It is then claimed that accused persons have demanded amount from Santosh for construction of house and also asked him to sell landed property.

5. So far as the said issue, which is formed to be a cause for suicide by Santosh is concerned, the fact as regards Santosh is likely to commit suicide because of insulting and humiliating

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treatment meted out to him and for demand of amount for construction of house by selling land, cannot be inferred to be within knowledge of the respondents so as to attract provisions of Section 306 of the Indian Penal Code.

6. In my opinion, learned Sessions Judge has rightly considered the effect of contentions of the first information report qua satisfaction of the ingredients under Section 306 of the Indian Penal Code. No case for cancellation of bail is made out. As such, criminal application stands rejected.

(N.W. SAMBRE, J.)

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