

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 1134 OF 2017**

Sohel Azad Shaikh

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Rahul S. Kate for the Applicant

Mr. S. S. Hulke, A.P.P for the Respondent-State

PSI Mr. Apsunde N. K. from Baramati Police Station, Pune, is present.

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 14th JULY, 2017

P.C.

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 341 of 2017 registered with the Baramati Police Station, Pune, for the alleged offences punishable under Section 306 of the Indian Penal Code.
3. Learned Counsel for the applicant submits that taking the prosecution case as it stands, no offence punishable under Section 306 of

the IPC is disclosed *qua* the applicant. He submitted that the allegation in the complaint is, that the applicant was demanding back the loan amount alongwith interest from the deceased. He submits that although the incident has taken place on 18th May, 2017, the FIR was lodged only on 1st June, 2017.

4. Learned A.P.P submits that as directed by this Court vide order dated 4th July, 2017, the applicant has reported to the concerned Investigating Officer.

5. Perused the papers. The allegation is that the applicant was demanding back the loan amount along with interest from the deceased, pursuant to which, the deceased-Sajid Kazi committed suicide. The incident of suicide took place on 18th May, 2017 and the FIR was lodged on 1st June, 2017.

6. In the facts of the case, custodial interrogation of the applicant is not necessary. Accordingly, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
 - (ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet, for a period of three months, whichever is earlier;
 - (iii) The applicant shall not contact or attempt to influence the complainant, witnesses or any person concerned with the case.
7. The application is accordingly disposed of.
8. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.