

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

ANTICIPATORY BAIL APPLICATION NO.2189 OF 2017

Bharat Vithal Koli ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. M.A. Choudhari for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent-State.

Mr. M.N. Mashal, API Sundar Bazar P.S, Solapur City, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 3rd SEPTEMBER, 2018.

P.C.:-

This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant, apprehending his arrest in Crime No.633 of 2017 registered with Sadar Bazar Police Station, District-Solapur, for offences punishable under Sections 306, 504 and 506 of the IPC.

2. Heard Mr. M.A. Choudhari, the learned counsel for the Applicant, Mr. S.R. Agarkar and the learned APP for the Respondent -State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Smt. Smita Mangesh Jadhav, wife of the deceased (Mangesh Jadhav). Case of the prosecution is that the Applicant had taken a loan of Rs.2,64,000/- from the husband of the first informant. It was alleged that subsequently the Applicant had refused to repay the same and whenever the deceased demanded refund of the said loan amount, the Applicant abused and threatened him. The first informant has further alleged that her husband was under tremendous pressure on account of the said incident and that he committed suicide on 15.11.2017 at Solapur. The first informant claims that the Applicant herein had abetted commission of the suicide.

4. After considering the allegations against the Applicant, this Court (Coram : Smt. Sadhana S. Jadhav, J.) by order dated 18th December, 2017 had granted interim bail. The learned APP concedes that the Applicant had reported the Investigation Officer. He further submits that the investigation is completed and the charge sheet will be filed within a period of two weeks.

5. Considering the above facts and circumstances, in my considered view this is not a case which warrants custody pending

trial. Hence, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No.633 of 2017 registered with Sadar Bazar Police Station, District-Solapur, the Applicant be released on bail on furnishing bail bonds of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the Investigation Officer.
- (ii) The Applicant shall furnish his permanent as well as temporary address, if any, and his contact details to the Investigation Officer.
- (iii) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

(SMT. ANUJA PRABHUDESSAI, J.)

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