

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

ANTICIPATORY BAIL APPLICATION NO.378 OF 2019

Dilip Kalu Dagade

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr.Ritesh Thobde, Advocate for Applicant.
- Mr. Rajan Salvi, APP for the State/Respondents.
- Mr. Prakash Ratan Umap, PSI, Pandharpur Rural Police Station, present.

CORAM : SARANG V. KOTWAL, J.

DATE : 10th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.I 17 of 2019 registered with Pandharpur Rural Police Station, under sections 498A and 304B r/w. 34 of the Indian Penal Code.

2. The F.I.R. is lodged by one Mohan Dukale who is father of deceased Priyanka. He mentioned in the F.I.R. that his daughter Priyanka had got married with one Anil Dagde about

four years back. The couple has two year old son. On 15/09/2019 Priyanka consumed poison and committed suicide. The first informant made allegations that Priyanka's husband, mother in law, present applicant, husband's sister Sunita, Sunita's husband Bharat used to harass her on demand of money and because of their constant harassment she got fed up and committed suicide. The present applicant is brother in law of the deceased.

3. Learned counsel for the applicant pointed out that Sunita and Bharat are already granted anticipatory bail. The husband and mother in law of the deceased were arrested and were granted regular bail.

4. In so far as allegations against the present applicant are concerned, there are common allegations against all the accused including Sunita and Bharat who are granted anticipatory bail. Though present applicant was residing allegedly in the same house, learned counsel for the applicant submits that he was employed with M.S.R.T.C. and posted at Sangola. In any case, the allegations against all the accused are common and in particular, allegations against Sunita and her husband and against the present

applicant are the same. Therefore, on parity, the applicant deserves to be granted the same relief. It was pointed out by learned A.P.P. that Priyanka was harassed because family wanted money for wedding of the present applicant. However, in this connection there are no allegations that applicant himself has demanded any money directly or indirectly from Priyanka on that count. In this view of the matter, the applicant has made out a case for grant of anticipatory bail. Custodial interrogation of the applicant is not necessary.

5. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.I 17 of 2019 registered with Pandharpur Rural Police Station, Dist. Solapur, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)