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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 240 OF 2019**

Prakash Shivaji Jadhav

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Vijay Killedar advocate for the applicant

Ms. Rutuja Ambekar APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : FEBRUARY 1, 2019.****P.C.**

In Crime No. 709/2018 registered with Sinhagad Road Police Station, Pune for offence punishable under Sections 306, 506 r/w 34 of the Indian Penal Code, applicant is seeking pre-arrest bail.

2 The prosecution case is Radhika wife of Dnyaneshwar alleged that applicant has given hand loan to her husband. Since the applicant was demanding refund of the said amount with interest at higher rate, the said Dnyaneshwar committed suicide.

3 The submissions of the learned counsel for the applicant are:

(I) Aliby as applicant Prakash Jadhav was out of the town at the relevant time when the incident happened.

(II) Co-accused is already arrested and subjected to custodial interrogation.

(III) There were no threats to deceased for refund of amount.

4 The learned APP opposed the claim.

5 Apart from the screen-shots of messages between the applicant and deceased, there is a suicide note by the deceased naming the present applicant responsible which was seized from the body of the deceased on the date of incident.

6 On very date of incident, an A.D. was registered and after the rituals were over, a detailed complaint came to be filed. That being so, it cannot be inferred that there is delay in lodging F.I.R.

7 There is sufficient *prima facie* material to implicate applicant in the crime in question. As such, application fails, stands rejected.

[NITIN W. SAMBRE, J.]