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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 251 OF 2019**

1. Mr. Bharat Baban ShelkeApplicants
2. Mrs. Meena Bharat Shelke

V/s.

The State of MaharashtraRespondent

Mr. Pawan Mali advocate for the applicants
Ms. Rutuja Ambekar APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 29, 2019.

P.C.

Heard the learned counsel for the applicant and the learned
APP.

2 In Crime No. 1155/2018 registered with Chakan Police
Station, Pune for offence punishable under Sections 306 r/w 34 of
the Indian Penal Code, applicants are seeking pre-arrest bail.

3 Perused the suicide note of deceased Datta and the conduct of applicant no. 1 of lodging F.I.R. under the provisions of Protection of Children from Sexual Offences Act (POCSO Act) 2012 after the death of deceased Datta.

4 The very intention of applicant no. 1 can be inferred from the conduct of lodging F.I.R. against a dead person that too under the stringent provisions of POCSO Act.

5 Investigation till date reflects sufficient involvement of applicant no. 1 in the crime in question. As such, his application stands rejected.

6 So far as role attributed to applicant no. 2 who happens to be wife of applicant no. 1 is concerned and having regard to investigation carried out till date, applicant no. 2 is not named with any specific attributions. She, being a woman is very much available for the investigation. Hence, applicant no. 2 deserves to be granted pre-arrest bail. In view thereof, following order:

(A) In the event of arrest of the applicant no. 2 in Crime No. 1155/2018 registered with Chakan Police Station, Pune, applicant no. 2 be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(B) Applicant no. 2 shall not influence witnesses or tamper with evidence.

(C) Applicant no. 2 shall co-operate with the investigating agency.

7 Application stands disposed of.

[NITIN W. SAMBRE, J.]