

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

ANTICIPATORY BAIL APPLICATION NO. 2135 OF 2018

Pradeep Baliram Ahire ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Piyush R. Toshnival for Applicant.

Mr. Ravindra S. Pachundkar for Original Complainant.

Ms. Rutuja Ambekar, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 7, 2019.

P.C. :

. In Crime No. 516 of 2018 punishable under Sections 498-A, 306, 323, 504 read with Section 34 of the Indian Penal Code, the Applicant – husband is seeking pre-arrest bail.

2. Mr. Toshnival, the learned Counsel for Applicant would urge that wife of the Applicant Deepali committed suicide on 2nd August 2018. There is hardly any material to infer the abetment to the suicide. He would invite attention of this Court to the contents of FIR to demonstrate that it is the complainant, who has taken hand-loan from the Applicant

and ingredients of Section 498-A of the Indian Penal Code are not satisfied. According to him, hand-loan was taken from the present Applicant by the complainant and non-payment thereof has resulted into false implication. As such, he has tried to make out a case for grant of pre-arrest bail.

3. The learned APP who is assisted by the learned Counsel for complainant would oppose the application of pre-arrest bail on the ground that there is sufficient material available on the record to infer involvement of the Applicant in the crime in question.

4. Upon perusal of the order of the Court below while rejecting the application and the contents of FIR what needs to be noticed here is, the Applicant is specifically named as a person responsible for an offence punishable under Section 306 of the Indian Penal Code. The Applicant is specifically named in the suicide note as a person responsible. In addition, there was an earlier N. C. registered against the Applicant at the behest of the Applicant's mother-in-law which speaks voluminous about the very intention of the Applicant. That being so, there is no substance in the present Application.

5. As such, the Criminal Anticipatory Bail Application fails.
Hence rejected.

(NITIN W. SAMBRE, J.)