

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.470/2019

Pramod Marotrao Mise .vs. State of Maharashtra, through PSO P.S. Pusad,
Tq. Pusad, Dist. Yavatma.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A. M. Kukday, Advocate for applicant
Mr. N. R. Rode, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.
DATED : AUGUST 23, 2019

Heard Mr. Kukday, learned counsel for applicant
and Mr. Rode, learned A.P.P. for non applicant-State. I have
also perused the reply filed on behalf of the State.

The applicant, who is brother in law of deceased
Geeta, is seeking pre-arrest bail since he is apprehending his
arrest in connection with Crime No.247/2019 registered
with Police Station, Pusad, Dist. Yavatmal for an offence
punishable under Section 306 read with Section 34 of the
Indian Penal Code.

The FIR is lodged by one Suniti, mother of the
deceased. Deceased Geeta's marriage was performed with
Shrirang, younger brother of the present applicant about 15
to 16 years prior to the date of incident. The date of
incident is 10.06.2019. As per the FIR, husband of the
deceased Geeta was not keeping good health since last two
years and therefore according to the prosecution case, the
applicant and other co-accused used to demand money from
Geeta for medical treatment of her husband. According to

the prosecution, for that she was subjected to cruelty. As per the prosecution case on 10.06.2019, deceased consumed poison and committed suicide.

Co-accused Babybai, wife of the present applicant is already released on bail by the Court below.

Though, the incident has occurred on 10.06.2019, the FIR is lodged on 14.06.2019 and there is no explanation offered for looking the report belated. Looking to the nature of accusations, in my view, interim order granted in favour of the applicant needs to be confirmed.

Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.247/2019 registered with Police Station, Pusad, Tq. Pusad Dist. Yavatma for an offence punishable under Section 306 read with Section 34 of the Indian Penal Code, applicant-Pramod Marotrao Mise, be released on bail on he executing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
- (iii) The applicant is directed to remain present in Police Station as and when he is called by investigating officer, till the filing of the charge-sheet. However, for that the investigating officer shall give a clear cut three days written communication to them.

The application is disposed of.

JUDGE