

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1150 OF 2020

Shrikant s/o Suresh Chavan

Applicant

Versus

The State of Maharashtra

Respondent

Mr.(Dr.) S.D.Tawshikar, advocate for the applicant.
Ms.D.S.Jape, APP for the Respondent.

CORAM : V.K.JADHAV, J.

DATE : 14th October, 2020.

PC :

1 The applicant is seeking bail in connection with Crime No.0124/2020, registered with Bhada Police Station, Bhada, Taluka Ausa, District Latur, for the offences punishable under Section 306 read with 34 of the Indian Penal Code.

2 Heard both sides.

3 The learned Counsel for the applicant submits that the applicant is in jail in connection with present crime since 22nd August, 2020. The investigation is almost over and the formality of filing of the charge sheet is only remaining. The learned Counsel submits that there is no charge under Section 498A of the Indian Penal Code levelled against the applicant. The applicant got married with deceased Anita on 27th April, 2016 and the couple was blessed with

two children. It has been alleged in the complaint that the applicant was intending to perform second marriage and, therefore, deceased Anita, in the hit of anger, committed suicide by consuming some pesticide. The learned Counsel for the applicant submits that the applicant may be released on bail.

4 The learned A.P.P. has strongly resisted the application on the ground that deceased died within four years of marriage and the applicant used to tell her that he would perform second marriage. The investigation is still going on.

5 On going through the allegations made in the complaint, it appears that there are no allegations about ill-treatment being extended to the deceased by the applicant. It has been alleged that applicant used to tell deceased Anita that he would perform second marriage, however, there is delay in lodging the complaint without tendering an explanation as to the cause of delay. Apart from this, there was no ill-treatment nor there was any demand on the part of the applicant. It appears that in the hit of anger, deceased Anita had committed suicide by consuming pesticide. Considering entire aspects of the case and considering that the applicant is in jail for considerable period, I am inclined to release the applicant on bail with certain conditions.

6 Hence, the following order:

(i) The application is hereby allowed.

(ii) The applicant – Shrikant Suresh Chavan, in connection with Crime No.0124/2020, registered with Bhada Police Station, Bhada, Taluka AUSA, District Latur, for the offence punishable under Section 306 read with 34 of the Indian Penal Code. be released on bail on his furnishing Personal Bond of Rs.15,000/- (Rs.Fifteen Thousand) with one surety of the like amount, on the following condition:

(a) The applicant shall not tamper with the prosecution evidence, in any manner.

(b) The applicant shall make himself available, as and when required by the Investigating Officer, for carrying out further investigation in the crime in question.

7 The application is accordingly disposed of.

(V.K.JADHAV)
JUDGE

adb