

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3018 OF 2019

Rohit Rajkumar Chaurasiya	...Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. Viral K. Rathod, Advocate for the applicant.
Mr. S.R. Agarkar, APP for Respondent-State.
Mr. Javed Karadkar, P.S.I., Oshiwara Police Station.

CORAM : SANDEEP K. SHINDE, J.**Monday, 20th January, 2020.****P.C. :**

Heard.

1. It is an application under Section 439 of Code of Criminal Procedure, 1973.
2. Applicant is seeking enlargement on bail in Crime No.328 of 2019 registered with Oshiwara Police Station for the alleged offences punishable under Sections 306, 498-A, 504 and 506 of the Indian Penal Code, 1860 ("IPC" for short).
3. Applicant's wife committed suicide within a period of 4 months from the date of her marriage. Evidence prima facie suggests that deceased

was subjected to cruelty. In view of this, it is to be presumed that prima facie, suicide has been abated by the applicant. In this case applicant's wife committed suicide within four months of her marriage by consuming poison in her matrimonial house. Statement of applicant's real brother who was residing in the same house suggests applicant's complicity in causing cruelty to the deceased.

4. The offence under Section 306 of IPC, is punishable with imprisonment for a period which may extend to ten years. In view of the evidence on record, the application requires no consideration, it is therefore, rejected.

5. It may be stated that it was the second marriage of the deceased and soon after the incident the applicant had removed/taken the deceased to the hospital. In view of this, if the trial does not commence before 31st December, 2020, the applicant is at liberty to renew the request for enlargement on bail.

6. Application is disposed off in the aforesaid terms.

(SANDEEP K. SHINDE, J.)