

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 ANTICIPATORY BAIL APPLICATION NO.741 OF 2021

SHOAIBKHAN S/O. FAYAZKHAN @ FAIZ AHMEDKHAN
VERSUS
THE STATE OF MAHARASHTRA

Mr.Satej S. Jadhav, Advocate for the applicant.
Mrs.D.S. Jape, APP for the respondent/State.

CORAM : SANDEEP K. SHINDE, J.
DATED : 16.07.2021

PC :-

01. Heard. The applicant is husband of the complainant. On a complaint, the applicant and his family members have been arraigned as accused in Crime No.403 of 2021, registered with MIDC Police Station, Jalgaon, for the offences punishable under sections 498A, 417, 420 read with section 34 of the Indian Penal Code. The family members of the applicant have been granted pre-arrest bail.

02. The complainant married to the applicant in August, 2019. She abandoned company of the applicant in October, 2020. Since then she is living with her parents. In January, 2021, the applicant instituted a petition for restitution of conjugal rights. It appears, after receiving a notice in the restitution petition, the applicant lodged the subject complaint in June, 2021

alleging the applicant and her family members were demanding Rs.50,000/- for purchase of medicines since the applicant runs a medical shop.

03. Prima facie, it is a case of over implication and the complaint has been filed upon reconsideration i.e. after thought. In my view, custodial interrogation of the applicant will not further prosecution case. In view thereof, the application is granted.

04. In the event of arrest of the applicant, the applicant shall be released on bail on executing bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or more sureties in like amount. The applicant shall report to the Investigating Officer on 20th, 27th and 30th July, 2021 between 11.00 a.m to 01.00 p.m. and thereafter as and when called by the Investigating Officer.

05. The application is allowed and disposed of.

[SANDEEP K. SHINDE,J.]