

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

9 ANTICIPATORY BAIL APPLICATION NO.763 OF 2021

**NUTAN SUDHAKAR BANE
VERSUS
THE STATE OF MAHARASHTRA**

Mr. Satyajit S. Bora, Advocate for the applicant
Mr. A. V. Deshmukh, APP for the respondent/State

**CORAM : SANDEEP K. SHINDE, J.
DATE : 29-07-2021**

P. C.

. Heard learned counsel for the applicant and learned APP for the respondent /State.

2. Apprehending the arrest in connection with the Crime No. 224 of 2021 registered with the Parola Police Station, Tq. Amalner, Dist. Jalgaon for the offences punishable under Sections 306, 504 and 506 read with Section 34 of the Indian Penal Code, the applicant is seeking pre-arrest bail.

3. On 19-07-2021 the applicant was granted interim pre-arrest protection till today and the prosecution was directed to verify the chit and the video clip left behind by Nandkishor Patil (deceased) who had committed suicide on 13-06-2021. Today, I have verified the chit and the panchanama of the video/audio clip.

4. Prosecution case is that the applicant had assured job in the government to many persons for consideration. These persons / aspirants allegedly paid substantial amount to the applicant through Nandkishor Patil (deceased). The complainant is wife of the deceased. She reported to the police that her husband had committed suicide due to persistent and recurring humiliation meted out to him by the aspirants.

5. Herein the deceased had left behind the chit and audio/ video clip recorded by him in his own mobile. Clip was sent by deceased to his brother. Police had recovered clip and chit under the panchanama. I have perused chit and the panchanama of clip.

6. Mr. Bora, learned counsel for the applicant would submit that allegations dates back to the year 2017 and since then, till date, none of the aspirants has made complaint against the applicant or lodged the protest. Mr. Bora, learned counsel for the applicant therefore, contended the applicant has been falsely implicated in this case. It is submitted that material prima-facie does not establish or show that the allegations or offending action had any proximity to the occurrence. It is submitted that there is nothing on record to suggest that owing to the consistent humiliation and ill-treatment meted out to the deceased by the applicant, he committed suicide.

7. Be that as it may, contents of the audio clip and the chit left behind by the deceased convey that the applicant had assured the job to many persons from whom she had received substantial amount. However, aspirants were neither offered the job nor amount was refunded. The material also suggest that the aspirants were persistently harassing and humiliating the applicant and his family members for not securing job. Therefore, on first evaluation of the first information report and chit in my view, it suggests the applicant's complicity in abetting the Nandakishor Patil to commit suicide.

8. In consideration of these facts, pre-arrest protection is refused. The application is rejected.

[SANDEEP K. SHINDE, J.]