

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1020 BAIL APPLICATION NO.1508 OF 2021
WITH
APPLN/3239/2021 IN BA/1508/2021

ANKUSH SHIVAJI SURYAWANSHI
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. A.V. Lavte, Advocate for the applicant
Mr. N.T. Bhagat, APP for the respondent/State
Mr. A.N. Nagargoje, Advocate for assist to APP

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CORAM : SMT. VIBHA KANKANWADI, J.
DATE : 22th DECEMBER, 2021

PER COURT :

1 Criminal Application No.3239 of 2021 moved for assist to APP stands allowed and disposed of.

2 Present bail application has been filed under Section 439 of the Code of Criminal Procedure, 1973 by the applicant-husband, who has been arrested in connection with Crime No.277/2021 by Vedant Nagar Police Station, Dist. Aurangabad for the offence punishable under Section 498-A,

306, 323, 504, 506 of the Indian Penal Code, 1860.

3 Heard learned Advocate Mr. A.V. Lavte for the applicant and learned APP Mr. N.T. Bhagat for the respondent.

4 Perusal of the First Information Report lodged by one Usha Vikram Suryawanshi would show that she is the mother of deceased Meghna, who was the wife of present applicant. Present applicant and Meghna got married on 16.02.2021. It is then stated in the First Information Report that Meghna was asking present applicant to take her along with him to Aurangabad, but he asked her to continue her stay at his parental house Kitti Aadgaon. It is also then stated that after residing there for about one and half months Meghna went to reside with her mother and she used to make phone call to the applicant for taking her along with him to Aurangabad, which he did not do. Informant further says that thereafter she left Meghna to her matrimonial home on 08.06.2021. It was informed by the mother of the present applicant to Meghna and informant that she had been to Aurangabad where she had seen the room of present applicant situated in Padampura area of Aurangabad and then Meghna went to reside in that room along with the present applicant on 11.06.2021. She also got employment in a company at Aurangabad. Informant then says that deceased used to convey to her that the present applicant is harassing her financially and also mentally

as he was not properly behaving with her. Meghna could see that present applicant had some love affair with another girl and was asking Meghna to take divorce. Thereafter there used to be quarrel between them. It is also stated that the applicant had harassed her by demanding amount of Rs.5,00,000/- and the articles. Informant then says that Meghna committed suicide by hanging on 21.10.2021.

5 Substantial part of the investigation appears to be over. Statements of witnesses have been recorded. Nothing is required to be recovered from the applicant. Though the offence is anti social and serious, when substantial part of the investigation is over, by imposing stringent conditions the application deserves to be allowed. Hence, following order.

ORDER

1 Application stands allowed.

2 Applicant viz. Ankush Shivaji Suryawanshi, who has been arrested in connection with Crime No.277/2021 by Vedant Nagar Police Station, Dist. Aurangabad for the offence punishable under Section 498-A, 306, 323, 504, 506 of the Indian Penal Code, 1860, be released on PR. of Rs.50,000/- (Rupees Fifty Thousand only) with two solvent sureties of Rs.25,000/- (Rupees Twenty Five Thousand only) each.

3 The applicant shall not tamper with the evidence of the prosecution, in any manner.

4 He shall not indulge in any criminal activity.

5 If he commits any breach of above terms of bail, the prosecution is at liberty to move the Trial Court under Section 439(2) of the Code of Criminal Procedure for cancellation of bail.

6 He shall not enter the jurisdiction of Parli Vaijinath, Tq. Parli, Dist. Beed till the conclusion of trial. Before submission of bail papers, the applicant should give his mobile number to the Investigation as well as to the Trial Court. So also he should comply with the requirements under paragraph Nos.12 (1) to (6) of Chapter I of Criminal Manual, (whichever are applicable).

7 Bail before Trial Court.

8 Criminal Application No.3239 of 2021 stands disposed of.

(Smt. Vibha Kankanwadi, J.)