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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1157 OF 2019

Bhavish Kukreja ...Applicant
Versus
The State of Maharashtra and Anr. ...Respondents

ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 1158 OF 2019

Sumit Dagar ...Applicant
Versus
The State of Maharashtra and Anr. ...Respondents

Mr. Shahbaz Khan Pathan for the Applicants in both the applications.
Mr. S.V.Gavand, A.P.P for the Respondent No.1-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 3rd AUGUST, 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By these applications, the Applicants seek pre-arrest bail in connection with C.R.No. 163 of 2019 registered with the Amboli Police Station, Mumbai, for the alleged offences punishable under Sections 306,

323 read with 34 of the Indian Penal Code.

3. Vide order dated 22nd May, 2019, this Court (Coram : Sarang V. Kotwal, J) granted interim protection to the Applicants on certain terms and conditions. According to the prosecution, Shobhit (deceased) committed suicide on 13th April, 2019. According to the Prosecution, a WhatsApp message was sent by Shobhit to one Pankaj Singh and others on 13th April, 2019. In the said WhatsApp message, there is a mention about one past relationship between Shobhit and one girl (accused No.1). The said message also mentions the names of both the Applicants and makes a reference to an earlier incident, in which, Shobhit was assaulted and threatened by the Applicants. After the said incident, it appears that Shobhit had made some entries in his personal diary in which, he has stated that he was committing suicide because of the breakup with his friend i.e. accused No.1.

4. Prima facie, it is doubtful whether an offence under Section 306 of the Indian Penal Code is made out as against the Applicants. Be that as it may, in the facts, custodial interrogation of the Applicants is not warranted. Even otherwise, chargesheet has been filed in the said case on 2nd June, 2021.

5. Considering the aforesaid, the interim protection granted by this Court vide dated 22nd May, 2019 stands confirmed on the following terms and conditions.

ORDER

(i) In the event of the arrest, the Applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount;

7. Anticipatory Bail Applications are accordingly disposed of on the aforesaid terms and conditions.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.