

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2285 of 2019**

Subodh K. Jha

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Atul M. Pandey for the applicant.

Mr.S.H. Yadav, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 4th SEPTEMBER 2021.

P.C:-

1 The applicant is arraigned as an accused in C.R.No. 368 of 2019 registered at the instance of his wife pursuant to which an offence punishable under Section 323, 324, 498A, 504, 109 r/4 Section 34 is registered. Since 2019, the Investigating Officer did not seek custody of the applicant and it is informed that there were oral instructions passed by this Court not to arrest.

2 When the FIR is perused, it reflect the wear and tear of the marriage between the applicant and the complainant which was solemnized in the year 2004. Out of the said wedlock, the couple have three children, aged 15, 13 and 12 years. The allegation when carefully perused, refer to the normal quibble in a matrimonial dispute which definitely do not warrant any custodial interrogation.

Tilak

3 In the wake of the accusations and since the FIR is lodged in the year 2019, the applicant is held entitled for protection. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Subodh Jha in connection of FIR No. 368 of 2019 registered with police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall make himself available as and when required by the Investigating Officer.

The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J