

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

BAIL APPLICATION NO.454 OF 2022

Gaurav s/o. Bhimrao Tayade

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.S.R.Patil, Advocate for applicant
Mr.S.P.Sonpavale, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 25, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0001 of 2022 registered with Bhusawal City Police Station, Dist.Jalgaon.

2. Heard learned counsel appearing for the parties.

3. The First Information Report (FIR) has been lodged by the father of the deceased on 03.01.2022. The deceased – Manisha had married the applicant in December, 2014. The couple is blessed with twin daughters. On 02.01.2022, the deceased committed suicide by consuming poisonous substance. It has been alleged in the FIR that the deceased had all along been illtreated on account of having given birth to two daughters.

4. There is no suicide note. The deceased is said to have made dying declaration, wherein she states to have consumed insecticide mistaking it for medicine, since she was not keeping well.

5. Although learned APP has strongly opposed to allow the application, the Court is inclined to allow the same, since, on investigation, charge sheet has been filed, it will take time for commencement and conclusion of the trial so also the dying declaration made by the deceased runs against the case of the prosecution.

6. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0001 of 2022 registered with Bhusawal City Police Station, Dist.Jalgaon, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence in any manner.

[R.G. AVACHAT, J.]

KBP