

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

902 ANTICIPATORY BAIL APPLICATION NO.875 OF 2022

BALAJI GANPATI DHALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant :Mr. Dhage Vaibhav B.
APP for Respondents State: Mr. V. M.Kagne

CORAM : S. G. MEHARE, J.
DATE : 3rd AUGUST, 2022

ORDER:

1. Heard learned counsel for the applicant and learned A.P.P.
2. It has been alleged against the applicant that he had suspicion that the deceased had stolen his mobile handset and so he was repeatedly demanding his mobile handset. On two occasions, applicant beat the deceased. Since the applicant was consistently harassing the deceased for mobile handset, he has committed suicide by consuming poison.
3. Learned counsel for the applicant submits that allegations are false. The applicant never abetted the deceased to commit suicide. Nothing is to be recovered from the applicant. Hence he may be released on anticipatory bail.
4. Learned APP has argued that consistent beating to the deceased is the cause of committing suicide. The offence is serious. Therefore, the applicant is not entitled for anticipatory bail.
5. Perused the papers and application of the applicant.

6. Considering the allegations levelled against the applicant, the prosecution has no case for custodial interrogation of the applicant. Therefore, the application deserves to be allowed. Hence the following order.

O R D E R

- (i) The application is allowed.
- (ii) Interim protection granted to the applicant by order dated 18th July, 2022 is confirmed on the same terms and conditions.

(S. G. MEHARE, J.)

JPChavan