

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO. 994 OF 2022**

Suresh Kallappa Khetri	... Applicant
Versus	
The State of Maharashtra	... Respondent
....	
Mr. A. S. More, Advocate for applicant	
Mr. S. P. Sonpawale, APP for respondent - State	
....	

CORAM : R. G. AVACHAT, J.

DATED : 29th JULY, 2022

PER COURT :-

. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0197/2021, registered at Yermala Police Station, District Osmanabad, for the offences punishable under Sections 420, 406 r/w 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report (FIR) and related papers.

3. The FIR has been lodged by one Sunil Tavle on 22.12.2021. It is averred therein that his elder brother was

unmarried. They were in search of a good bride. They had, therefore, approached one Sunil Aaware, who acts as a freelancers marriage bureau. He, in turn, gave the phone number of the present applicant. The applicant showed the informant and his brother, one girl. The informant's brother approved her. Engagement ceremony took place on 06.11.2021. The applicant herein acted as maternal uncle of the bride. It appears that nobody from the bride side was present for engagement ceremony. Then, the applicant asked the informant that he will have to pay Rs.1,20,000/-. A sum of Rs.1,00,000/- to be paid to the mother of the bride. He also told that the bride did not have father. Her mother was not keeping well. He charged Rs.20,000/- towards his fees. The informant agreed. The marriage took place on 09.11.2021 at 11.00 in the morning in Mahadev temple. After the marriage, the informant paid the applicant a sum of Rs.1,20,000/-. The bride stayed overnight at the matrimonial home and in the early morning fled for no return. She is still absconding. She is one of the accused herein.

4. It is informed that the applicant has no criminal antecedents. He is behind the bars since 10.06.2022. The applicant, on his own, came around and offered to deposit a sum of

Rs.1,20,000/- allegedly received by him. It appears that for further investigation his pre-trial detention is unwarranted. In view of the same, the application is allowed in terms of following order:

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0197/2021, registered at Yermala Police Station, District Osmanabad, for the offences punishable under Sections 420, 406 r/w 34 of the Indian Penal Code, on his executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety bond of the like amount.
- (iii) The applicant shall deposit a sum of Rs.1,20,000/- with the trial Court within a period of one week from the date of this order as a condition precedent for release on bail.
- (iv) Once the amount is deposited with the trial Court and if the informant applies for return of the amount, the trial Court shall return the same with the conditions to be imposed by it.
- (v) The applicant shall attend the concerned Police Station on alternate day between 8.00 p.m. and 9.00 p.m. until filing of charge-sheet.

(vi) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS