

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

BAIL APPLICATION NO.651 OF 2022

Pinku Dosh Chavan

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....

Mr. S.J. Salunke, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent – State, assisted by
Mr. K.A. Khole, Advocate for original complainant

.....

WITH

CRIMINAL APPLICATION NO.2263 OF 2022

Distiman Mahadu Kale

... APPLICANT

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

.....

Mr. K.A. Khole, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent No.1 – State
Mr. S.J. Salunke, Advocate for respondent No.2.

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CORAM : R. G. AVACHAT, J.

DATE : 20th JULY, 2022.

PER COURT :

Criminal Application No.2263/2022 is allowed.

The original complainant is permitted to assist learned A.P.P.

2. 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.265/2021, registered at Dindrud Police Station, District Beed for the offence punishable under Sections 306, 323 of the Indian Penal Code. The applicant is alleged to have abetted commission of suicide by his wife. It was a case of three years of marriage. The couple was blessed with one year old child. Both the applicant and the deceased were working as sugarcane harvesters. On the given day, there was a quarrel between the two. The applicant allegedly assaulted her. A day after the incident, her body was found in a well.

3. The learned counsel for the intervener opposed grant of bail on the ground that injuries were noticed on the person of the deceased. It is, however, not his case that the applicant has killed the deceased. It is an offence of abetment of suicide. The charge sheet has been filed and it will take time for commencement of the trial and conclusion thereof. In view of the same, I am inclined to allow the application. Hence the order :-

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant shall be released on bail in connection with Crime No.265/2021, registered at Dindrud Police Station, District Beed for the offence punishable under Sections 306, 323 of the Indian Penal Code on his 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.

**(R. G. AVACHAT)
JUDGE**

fmp/-