

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

34 ANTICIPATORY BAIL APPLICATION NO.999 OF 2022

BIPIN PANDURANG PAWAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Vikhe Pratap B.
APP for Respondent-State : Mr. V. M. Kagne.
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CORAM : S. G. MEHARE, J.
DATE : 10.08.2022

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.

2. The facts and allegations levelled against the applicant have been discussed in the order dated 28.07.2022. In nutshell, it has been alleged that the applicant is the husband of the complainant, who is in police service. He was asking her to make the money by illegal means and pay him Rs.25,00,000/- to secure a job. The applicant and the complainant had filed a mutual divorce petition. The complainant withdraw her consent. The applicant is practicing lawyer at another place and the complainant is posted at another place.

3. Learned counsel for the applicant would submit that the allegations are false and baseless. Nothing is to be recovered from the applicant. The complainant is in police department and her father was also in the police department. Therefore, with cool mind, a systematic report has been lodged to corner the applicant.

4. Learned APP would submit that the serious allegations of demand of dowry have been levelled against the applicant. There was a matrimonial discord. However, the applicant has tortured the complainant for making money by illegal means. Therefore, he is not entitled to the anticipatory bail.

5. The facts as discussed above and in an order dated 28.07.2022 reveals that the complainant and her husband has matrimonial discord. They have decided to take a mutual divorce but the reason best known to the complainant why she withdrew the consent. Both are residing at different places.

6. Considering the allegations, it cannot be believed that the prosecution has a case for custodial interrogation. Therefore, the application deserves to be allowed. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by the order dated 28.07.2022 is confirmed on the same terms and conditions.

(S. G. MEHARE, J.)

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vmk/-