

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO.800 OF 2022
WITH APPLN/2449/2022 IN ABA/800/2022
BABASAHEB FAKADRAO RANDHAVANE AND OTHERS
..APPLICANTS**

VERSUS

THE STATE OF MAHARASHTRA ..RESPONDENTS

...
Mr. Joydeep Chatterji, Advocate for the Applicants.
Mr. S. B. Narwade, APP for Respondents-State.
Mr. R. R. Karpe, Advocate for the Applicant in Cri.
Application No.2449/2022.

...
**CORAM : S. G. MEHARE, J.
DATED : 29th JULY, 2022.**

PER COURT:-

1. Heard the learned counsel for applicants, the learned APP for the State and Mr. Karpe, learned counsel assisting the learned APP.

2. The facts have been discussed in the order dated 28.06.2022, to maintain the brevity the facts are not reproduced. It is the fact that the son of the deceased was suffering from lower respiratory tract infection with gastroenteritis. He was 9 months old and under the medical treatment. The deceased could not breast feed the child. On the date of incident the deceased had some chest pain and she was diagnosed mastitis lump and stopped feeds. It is the case of the applicants that, she was feeling guilty that she could not breast-feed the child. Under the said state of mind, she committed suicide.

3. The learned APP has opposed the application. He has vehemently argued that there are allegations of the demand of dowry and ill-treatment. Therefore, the applicants have no case for anticipatory bail.

4. The applicants are in-laws of the deceased. The husband of the deceased has been arrested. On the date of the incident, the deceased and her husband had quarrel on serving food. The husband had left the dinner midway and went away. The factum of diagnosing the deceased and the treatment of the son is supported with the documents are not disputed. Considering the allegations leveled in the FIR, there appears the grounds for anticipatory bail. Hence, the following order:

ORDER

a. The application is allowed.

b. The interim protection granted to the applicants by order dated 28.06.2022 is confirmed on the same terms and conditions of the bail bond.

5. Criminal Application No.2449/2020 is allowed.

(S. G. MEHARE, J.)