

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

**BAIL APPLICATION NO. 1309 OF 2022**

Rameshwar Suryabhan Barade

..APPLICANT

VERSUS

State of Maharashtra and Another

..RESPONDENTS

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Mr. Sohail Subhedar, Advocate h/f Mr. N.S. Ghanekar, Advocate for applicant  
Mr. N.T. Bhagat, A.P.P. for respondent no.1 – State  
Mr. G.C. Navandar, Advocate for respondent no.2 - victim

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**CORAM : R.G. AVACHAT, J.**  
**DATE : 30<sup>th</sup> AUGUST, 2022**

**PER COURT :**

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 162 of 2021 registered with Goregaon Police Station, Dist. Hingoli for the offences punishable under Sections 306, 341, 506 read with Section 34 of the Indian Penal Code and under Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The F.I.R. has been lodged by father of the deceased on 16<sup>th</sup> July, 2022. The F.I.R. runs into 4-5 pages. The gist thereof is that daughter of the

informant (deceased) was emotionally involved with son of the applicant herein. The applicant belongs to *Maratha* community. The informant claims to have belonged to the scheduled caste. Daughter of the informant wanted to marry the applicant's son. At the relevant time, the informant's daughter had been to the house of the applicant. It is said that she was brought there by the applicant's son. It has further been averred in the F.I.R. that the applicant, his wife and others were opposed to the proposed marriage of the deceased with the applicant's son. They, therefore, abused the informant and his daughter over their caste. According to the informant it was a case of the applicant that the deceased was not a perfect match for the applicant's son only on the ground of her caste. It has further been alleged that the applicant herein gave threats to the life of the informant and his family members. Daughter of the informant committed suicide by consuming insecticides allegedly at the residence of the applicant on 11<sup>th</sup> July, 2022.

4. Learned A.P.P. and learned counsel for the victim would submit that the applicant herein is the author of the crime. The deceased had been to the house of the applicant. The applicant had picked up a quarrel there and gave threats to the life of the informant and his family members and even abused them over their caste. According to them, investigation is still underway. They, therefore, urged for rejection of the application.

5. Admittedly, son of the applicant and the deceased were emotionally involved. Since both of them did not belong to same caste, it appears that family members had objection for their marriage. Daughter of the informant consumed insecticides on 11<sup>th</sup> July, 2022. She passed away on 13<sup>th</sup> July, 2022. The F.I.R. has been lodged five days after her consumption of insecticides and three days after her death. The deceased was educated. She did not leave behind any suicide note. The applicant has been behind the bars for little over forty days. Learned counsel for the applicant appears to have justified in contending that mere opposition by the applicant to his son's marriage with the deceased could not be taken as an abetment of suicide. Considering the nature of offence and the fact that the applicant has been behind the bars for about forty days, the Court is inclined to grant the applicant bail.

6. In view of above, the application deserves to be allowed. Hence I pass the following order :-

### **ORDER**

(I) The bail application is allowed.

(II) The applicant be released on bail, in connection with Crime No. 162 of 2021 registered with Goregaon Police Station, Dist. Hingoli for the offences punishable under Sections 306, 341, 506 read with Section 34 of the Indian Penal Code and

under Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on 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, J. )

SSD