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

ANTICIPATORY BAIL APPLICATION NO.1210 OF 2022

JARINABI MUNSAF SHAIKH
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Kazi Rahil Riyazoddin
APP for Respondent/State : Mr. S.B. Narwade
...

CORAM : S.G. MEHARE, J.

DATED : 04th OCTOBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The facts and allegations have been discussed in detail in an order dated 12.09.2022. Learned APP would submit that the relatives of the deceased reveal that the applicant was demanding Rs.20,000/- to the deceased and threatening him that if he would not pay, she would lodge the report against the deceased. He would also submit that the investigating officer has collected the material that the applicant and deceased had relationship. He would also submit that the opinion as to the cause of death is reserved by the medical officer.
3. It is not in dispute that the mother of the deceased says that a smell like poisonous substance was coming from his vomiting. Therefore, on 22.07.2022 he was admitted to the hospital. After

treatment, he was brought home; however, again on 23.07.2022, he was admitted to another hospital. Then he was taken to Jalgaon, but he died halfway.

4. Learned counsel for the applicant would submit that the mother of the deceased has also raised loan of Rs.1 lac from the Bachat Gat run by the applicant. The mother of the deceased was also in arrears of loan. Therefore, she is deposing lie against her. Nothing is to be recovered from the applicant.

5. The facts as discussed in an order dated 12.09.2022 reveal that the deceased and the applicant had some relationship. It has been alleged against her that she threatened the deceased to pay Rs.20,000/-, else she would defame him. Out of fear, the deceased consumed poison and died. Having regard to the allegations levelled against the applicant and the nature of offence, the prosecution has no material for custodial interrogation of the applicant. Hence, the application deserves to be allowed. Therefore, the following order :

ORDER

- I) Application is allowed.
- II) Interim protection granted to the applicant by order dated 12.09.2022 is confirmed on the same terms and conditions.

(S.G. MEHARE, J.)