

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

**930 ANTICIPATORY BAIL APPLICATION NO.1303 OF 2022
WITH APPLN/3300/2022 IN ABA/1303/2022**

DWARAKABAI W/O. RAJU BANSOD
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Deshpande Chaitanya C.
APP for Respondent-State : Mr. K. S. Patil.
Adv. for Complainant to assist learned APP : Mr. R. P. Savale h/f
Mr. D. K. Thote.

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CORAM : S. G. MEHARE, J.
DATE : 06.10.2022

PER COURT :-

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

2. The facts have been discussed in detail in an order dated 28.09.2022. Considering the allegations, it reveals that there used to be quarrels between applicant and deceased for trivial reasons of not doing domestic work and talking on the phone all day. A day before the incident, the brother of the deceased came to her home and explained the deceased and took her phone. This fact indicates that the deceased was not listening

and paying no attention to her marital obligations. She must have been angry because her brother took her mobile phone.

3. The application is opposed by the learned APP and learned counsel for the complainant contending that the offence is serious. The deceased died within five months of her marriage.

4. Considering the papers produced by the learned APP, it reveal that a day before the incident, the brother of the deceased had been to her house. He explained the deceased and took her mobile handset from her. Immediately, the next day, she committed suicide. The allegations against the applicant were that she was complaining against the deceased that she does not work and used to talk on phone all day. There are no other circumstances to believe that she was harassed soon before her death. Taking the facts into consideration in toto, the Court is of view that the applicant has a good case for anticipatory bail. Hence, the following order :

ORDER

- (i) The application is allowed.

- (ii) The interim protection granted to the applicant by the order dated 28.09.2022 stands confirmed on the same terms and conditions.
- (iii) Criminal Application No.3300 of 2022 to assist learned APP is allowed.

(S. G. MEHARE, J.)

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