

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

ANTICIPATORY BAIL APPLICATION NO.1336 OF 2022

**VACCHALABAI W/O. PRALHAD JONDHALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Mr. Balasaheb N. Magar, Advocate for Applicants
Mr. N. T. Bhagat, APP for Respondent – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 20th DECEMBER, 2022

PER COURT :

1. Applicants are apprehending their arrest in Crime No.0383/2022, registered with Basmath (City) Police Station, Hingoli, for offence punishable under Section 306 read with 34 of the Indian Penal Code.

2. FIR is lodged by one Sunita Kishor Sarkate alleging that one year prior to the incident, her husband Kishor met with an accident and had injured his leg. For the purpose of treatment he obtained hand loan of Rs.5,000/- from applicants. When the said amount was demanded by applicants, informant since had no money to pay back, assured to repay the money, however, applicant No.1 took Aadhar Card, Election Card and bank passbook of State Bank of India of informant and her husband, which was not returned back. Though amount of Rs.5,000/- was returned back by

the informant, applicants were demanding more money. On 14/09/2022 Kishor went to applicant No.1 for demanding the documents. When he was returning at 11:00 a.m., applicants came there, applicant No.2 gave beatings to him with footwear and applicant No.1 abused him and told that unless he pays back money his documents will not be returned. Kishor committed suicide in the heat of the moment.

3. Heard learned advocate for applicants, learned Additional Public Prosecutor for respondent – State. Perused the investigation papers.

4. On going through the investigation papers, *prima facie* ingredients of abetment are not disclosed. Applicants were granted interim protection. They have attended concerned police station and cooperated in investigation. Applicants being women, deserve protection.

5. Application is, therefore, allowed by confirming interim order passed by this Court on 06/10/2022. Till filing of charge-sheet, applicants shall attend concerned police station as and when called by Investigating Officer. Applicants shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)