

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

ANTICIPATORY BAIL APPLICATION NO.1433 OF 2022

**BALAJI NARAYAN ADKINE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. S. V. Bhopi, Advocate h/f Mr. V. R. Dhorde, Advocate for
Applicant
Mr. N. T. Bhagat, APP for Respondents – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 18th NOVEMBER, 2022

PER COURT :

1. Applicant apprehends his arrest in Crime No.0450/2022, registered with Akhada Balapur Police Station, Hingoli, for offence punishable under Section 306 of the Indian Penal Code.

2. It is alleged in the FIR that deceased Ravi had obtained loan of Rs.5,00,000/- from applicant and one Acre agricultural land was transferred in the name of applicant. Applicant was insisting for repayment of loan amount. It is further alleged that, though deceased Ravi had paid amount of Rs.11,20,000/- towards loan, however, the applicant was insisting for further payment. On the date of incident i.e. on 15/09/2022, applicant allegedly threatened the deceased and slapped him and demanded repayment of loan amount. Ravi, therefore, committed suicide by hanging. He left a suicide note wherein he has stated that the applicant is responsible

for his suicide and though he had repaid entire loan amount, he was discussed and insulted by the applicant in society.

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

4. *Prima facie* from the record it appears that ingredients of Section 306 are not made out. Custodial detention and/or interrogation of applicant at pre-trial stage is not warranted in the facts of the present case. Application is, therefore, allowed by confirming interim order passed by this Court on 19/10/2022. Applicant, however, shall remain outside the village Dongarkada, Taluka Kalamnuri, District Hingoli, till filing of the charge sheet.

(NITIN B. SURYAWANSHI, J.)