

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 788 OF 2022

Vithal Agatrao Mali

..Applicant

V/s.

The State of Maharashtra

..Respondent

Mr. V. V. Purwant a/w. Mr. Rushikesh Kale, for the Applicant.

Ms. M. R. Tidke, APP for the Respondent/State.

Mr. Vikrant V. Fatate, for the Intervener.

HC 272 S. J. Mane, Kamati Police Station, Solapur (Rural).

CORAM : C.V. BHADANG, J.

DATE : 24 MARCH 2022

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. By this Application, the Applicant, apprehending arrest, in connection with investigation of Crime No.32/2022 of Police Station Kamati, Solapur (Rural), under Section 306, 323, 498-A, 504 and 506 r/w. 34 of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 19 February 2022 lodged by Gorakh Nanaware, who is father of deceased Nisha. Deceased Nisha was married to Deepak Mali who is brother of the Applicant, in the year 2010 and they had a child who is presently aged about 10 years.

According to the informant, Nisha was ill-treated by her husband and in-laws including the Applicant, as a result of which, Nisha committed suicide by consuming poison on 18 February 2022 at about 6.00 p.m. The present complaint came to be lodged on 19 February 2022, which is under investigation.

3. Heard the learned counsel for the parties. Perused record.

4. A perusal of the FIR shows that there are general allegations made about ill-treatment in so far as present Applicant (who is brother-in-law of the deceased), is concerned.

5. Learned APP pointed out that the husband and the parents-in-law of the deceased were arrested, out of which the parents have been released on regular bail.

6. Considering the nature of the allegations and the fact that the Applicant was allegedly staying separate from the family of the deceased, I do not find that custodial interrogation of the Applicant is warranted. In the result, the following order is passed.

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.32/2022 of Police Station Kamati, Solapur (Rural), the Applicant

Vithal Agatrao Mali, be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.

(ii) The Applicant shall report to the Investigating Officer on 30/3/2022 and 31/3/2022 between 11.00 a.m. to 1.00 p.m. and as and when required and shall cooperate with the Investigating Agency.

(iii) The Criminal Application is disposed of, in the aforesaid terms.

(C.V. BHADANG, J.)