

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Anticipatory Bail Application No. 20 of 2022

Nilesh S/o Rameshrao Berad

Versus

State of Maharashtra, through Police Station Officer, Police Station,
Anjangaon (Surji), Tah. Anjangaon (Surji), Dist. Amravati

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.V. Bhute, Advocate for the applicant.

Shri M.J.Khan, APP for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 25th FEBRUARY, 2022.

An offence came to be registered against the applicant on a compliant made by the mother of the deceased Laxmi vide Crime No. 758 of 2021 for the offence punishable under Section 306 of Indian Penal Code.

2. The allegation is that the applicant used to harass the deceased by abusing her and assaulting her and by making demand of money. It is further alleged that because of such harassment, the deceased has committed suicide.

3. This Court on 12th January, 2022 had granted ad-interim anticipatory bail to the applicant.

4. Learned counsel for the applicant submits that the allegations made in the First Information Report are not sufficient to attract the provisions of Section 306 of Indian Penal Code. He further submits that there is a delay in lodging the report and no explanation has been given by the complainant.

5. On the other hand Shri Khan, learned Additional Public Prosecutor has strongly opposed the application.

6. I have perused the police diary and also perused the allegations made in the First Information Report. From the allegations made in the First Information Report, *prima facie* I do not find any material to show involvement of the applicant in the alleged offence which was registered under Section 306 of Indian Penal code. Accordingly, the application is allowed.

7. The order dated 12th January, 2022 is confirmed.

8. The applicant shall attend the concern police station as and when his presence is required.

[ANIL S. KILOR, J.]

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by SACHINDANAND
K NAIR
Date: 2022.02.26
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