

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

Criminal Application (APPLN) No. 60 OF 2022

Sau. Sarakka W/o Ramesh Naskuri

Versus

State of Maharashtra, through its Police Station Officer,
Police Station Sironcha, Tq. Sironcha, Dist. Gadchiroli and another

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

Court's or Judge's Order

Shri Shankar Borkute, Advocate for the applicant.
Shri T.A.Mirza, APP for the State / Non-applicant

**CORAM : ANIL S. KILOR, J.
DATED : 15th JUNE, 2022.**

This is an application for cancellation of anticipatory bail granted to the non-applicant no. 2, who is in-law of the deceased who committed suicide.

2. Learned counsel for the applicant submits that there are eight independent witnesses, who have stated in their statements that there was ill-treatment at the hands of in-laws and husband to the deceased and because of harassment the deceased committed suicide. It is further submitted that the learned trial Court has not considered the statement and on irrelevant consideration the anticipatory bail was granted to the non-applicant no.2. Accordingly, he prays for

cancellation of bail on the ground that the learned trial Court had granted anticipatory bail on the irrelevant consideration.

3. The learned Additional Public Prosecutor supports the case of the applicant.

4. I have perused the chargesheet and also order passed by the learned trial Court granting anticipatory bail to the non-applicant no. 2.

5. Learned trial Court has observed that the investigation was almost completed and custody of the non-applicant no. 2 was not necessary.

6. After going through the findings recorded by the learned trial Court, it can be seen that some of the findings are not recorded properly by the learned trial Court. However, ultimate conclusion granting bail to the non-applicant no. 2 is sustainable in the eyes of law. As such, there is no perversity in the findings recorded by the trial Court and as there are no supervening circumstances, I am of the opinion that no ground is available for cancellation of bail granted to the non-applicant no. 2. Accordingly, the application is rejected.

[ANIL S. KILOR, J.]

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