

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

CRIMINAL APPLICATION (ABA) NO.778 OF 2022

Shivaji Gopal Gai and others .Vs. State of Maharashtra, through P.S.O., P.S. Jalgaon
Jamod, Tq. Khamgaon, Dist. Buldhana

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

Court's or Judge's Order

Shri S.V. Sirpurkar, Advocate for the applicant.

Shri N.R. Rode, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 07/12/2022

1. Heard.
2. The applicants are seeking pre-arrest bail in Crime No.566 of 2022, registered with Police Station: Jalgaon, District: Buldhana, for the offences punishable under Sections 294, 306, 323, 324, 504 and 506 read with Section 34 of the Indian Penal Code.
3. In this crime the allegations are that the deceased committed suicide because of humiliation and insulting caused to him by the accused.
4. After going through the case diary and the contents of the FIR, it appears that there was a long standing dispute between both the parties and out of that a quarrel was took place a day before the suicide by the deceased. Wherein the deceased was allegedly humiliated and insulted in front of the villagers.

5. However, considering the nature of allegation it needs to be examined whether Section 306 of IPC will apply which is a matter of trial.

6. At this stage, considering the age of the applicants and nature of allegation, I am of the opinion that purpose would be served if certain stringent conditions are imposed while granting bail.

7. The applicants were granted *ad-interim* anticipatory bail and there is no complaint about misused of liberty. However, the possibility that they may tamper with the prosecution evidence cannot be ruled out. In the circumstances, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 04.11.2022, granting *ad-interim* anticipatory bail, is confirmed with modification that the applicants shall attend the concerned Police Station on every Monday between 10.00 a.m. to 12.00 noon, till filing of the charge-sheet.
- c) The applicants shall not enter into the territorial jurisdiction village Tiwadi, Tq. Jalgaon, Dist. Buldhana, till the filing of the charge-sheet.

The criminal application is **disposed of** accordingly.