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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1634 OF 2022

Manoj Dhanraj Patil and Others

APPLICANTS

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. A. C. Sisodiya h/f Mr. A. B. Girase, Advocate for applicants
Mr. A. A. Jagatkar, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 3rd JANUARY, 2023

ORDER :

1. The applicants apprehend their arrest in Crime No. 641 of 2022 registered with Shahada Police Station, District – Nandurbar for offence punishable under section 306 read with 34 of the Indian Penal Code.
2. FIR is lodged by Sunita Shimpi against the applicants alleging that her husband Nandlal Shimpi was serving as Assistant Teacher in Sant Namdeo Maharaj Education Trust Shahada's High School since last 27 years. He was posted at Adharsha High School, Kawalid since last 7 years. From last one and one and half years, her husband was complaining that some teachers in the school were mentally harassing him. Since last

one and one and half months, her husband was saying that he is having more trouble at school and he will commit suicide. When names of the persons who used to harass him were asked, he disclosed names of the present applicants. He also disclosed that since he was the senior most teacher and was about to be promoted as Head Master of the school, the applicants were harassing him. On 17th October, 2022, her husband left home after having breakfast. Thereafter, he posted one message on Whatsapp that the applicants were repeatedly harassing him mentally and were causing obstruction in his work. He, therefore, committed suicide.

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

4. *Prima facie*, from reading of the FIR and the papers of the investigation, it appears that ingredients of abatement to commit suicide are not made out against the applicants, who are serving as teachers in Adarsha High School, Kawalid. The applicants were granted interim protection and they have co-operated in the investigation. Nothing is to be recovered from the applicants. Pre-trial custodial detention of the applicants is not warranted in the facts of the present case. The application is, therefore,

allowed by confirming interim order. Till filing of the charge sheet the applicants shall attend the concerned police station as and when called by the Investigating Officer. The applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

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