

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 14 OF 2023

Bhalchandra B. More ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. Abhijit Ghumare for the Applicants.
Mrs. Veera Shinde, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 09.01.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.258 of 2022 registered at Jaykheda Police Station, Nashik rural for the offences punishable under Sections 306, 498-A, 504 and 506 of the Indian Penal Code.
3. The deceased was the wife of present applicant. According to the prosecution, the deceased was subjected to ill-treatment on account of demand of money. It is alleged that due to ill-treatment the deceased had suffered miscarriage. It is alleged that the deceased thus got fed up with the ill-treatment and committed suicide on 1 September 2022.
4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. The learned counsel for the applicant submits that the deceased was residing at her parents house since six months prior to the alleged incident. It is submitted that after thought allegations are made against the present applicant. The learned counsel for the applicant submits that the applicant is working in Indian Army. If he is arrested, then it would adversely affect his service career. It is submitted that considering the facts and circumstances of the case, the applicant may be released on anticipatory bail.

6. On the other hand, the learned APP has produced on record the transcript of recorded telephonic conversation between the deceased and the present applicant. It appears from the said conversation that the present applicant used to abuse the deceased in filthy language. It further appears from the said conversation that the applicant was putting all sort of conditions to bring her back to his house including the condition that she will have to bring gold ornaments which were given as dowry. Considering the overall facts and circumstances of the case, I am not inclined to release the applicant on anticipatory bail.

[N.R.BORKAR, J.]