



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.763 OF 2023

PRADIP AMARNATH JAISWAR (GAUTAM) ...APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Kamalesh Mishra for the applicant.
Mr. M. G. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 25, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 306, 304-B, 498-A read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered vide C.R. No.I-299/2022 with Palghar Police Station.
- 3.** The FIR is registered on 3/10/2022. The applicant married with the victim on 13/6/2019. It is alleged that the victim committed suicide on 2/10/2022. From the statement of the father of the victim it is seen that the victim was harassed by the applicant for demand of 10 gm gold. It is

further alleged by the first informant that the victim has informed him that the applicant was harassing and torturing her so as to compel the victim to comply with his demand.

4. Learned APP opposed the application.

5. The applicant was arrested on 3/10/2022 and now is in custody for 8 months. The trial is likely to take long time to conclude. Even the charge has not been framed. The investigation is complete. The charge-sheet has been filed. No doubt, there are allegations of harassment. However, the question whether there is direct or indirect acts of incitement to the commission of offence is a matter which will be gone into during trial on the basis of evidence. I do not wish to make any observations which will influence the trial. There are no criminal antecedents reported against the applicant. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Pradip Amarnath Jaiswar (Gautam) in connection with C.R. No. I-299/2022 with Palghar Police Station, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Palghar police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall not leave the State of Maharashtra District without prior permission of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)