

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1127 OF 2023

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|--------------------------|----------------|
| 1. Mrs. Kamal Jadhav | |
| 2. Mrs. Jaya Jadhav | ...Applicants |
| V/s. | |
| The State of Maharashtra | ...Respondent. |

Mr. Ganesh Gupta a/w. Mr. Sahil Ghorpade for the Applicants.
Mrs. Veera Shinde , APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 18.04.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.61 of 2022 registered at Khalapur Police Station, Raigad for the offences punishable under Sections 306, 504 read with 34 of the Indian Penal Code.
3. The deceased was neighbour of the present applicants. There was dispute between the deceased and the applicants on account of parking of vehicles. It is alleged that on the date of incident, which took place on 3 March 2023, the present applicants and other co-accused had abused the deceased on account of some trivial issue. It is alleged that the deceased, thus got fed up with frequent quarrels and committed suicide by setting himself on fire.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State and perused the first information report.

5. *Prima facie*, the allegations would not constitute the offence punishable under Section 306 of the IPC. Considering the overall facts and circumstances of the case, I am inclined to release the applicants on anticipatory bail on certain conditions. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicants in C.R. No. 61 of 2022 registered at Khalapur Police Station, Raigad for the offences punishable under Sections 306, 504 read with 34 of the Indian Penal Code, the applicants be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

C) The applicants shall not enter into the limits of Khalapur police station till conclusion of trial without permission of the trial Court.

D) The applicants shall furnish their residential address and mobile numbers, if any, to the Khalapur police station.

[N.R.BORKAR, J.]