



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

BAIL APPLICATION NO.1368/2023

SHASHIKANT CHANDRAKANT THORAT ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Hrishikesh S. Shinde for the applicant.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 11, 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, 506 of the Indian Penal Code (hereafter 'IPC' for short) registered on 10/9/2022 vide C.R. No.727/2022 with Solapur Taluka Police Station, District Solapur. The applicant was arrested on 11/9/2022.

3. It is alleged by the complainant who is the husband of the deceased that one year prior to the incident, he came to know about the love affair between the present applicant who happens to be the cousin of the complainant and his

wife. The parties accepted their mistake and assured that they will not talk with each other. The applicant is the cousin brother of the complainant. However, prior to the incident, it was noticed by the complainant that his wife was crying. She informed the complainant that the applicant had entered in the house on 21/8/2022 and tried to force himself on her. When the victim resisted, he threatened her that the applicant will circulate their photographs in the village with a view to defame her. This fact was informed by the victim to the complainant who assured that the complainant will confront the applicant. It is alleged that on 22/8/2022, after the complainant left for work, the victim did not pick up the phone calls. The complainant's wife committed suicide.

4. Learned APP opposed the application.

5. The accusations as they stand are that it is because of the harassment of the applicant that he will defame the victim over their past relationship, the victim committed suicide and therefore, the offence punishable under Section 306 of the IPC. It is the accusation that the harassment is of such a nature that drove the deceased to take the extreme

step. Whether such harassment was of such a nature proximate in time sufficient to meet the accusations under Section 306 of the IPC will be a matter for trial on the basis of the evidence in the facts and circumstances of the present case.

6. Suffice it to observe that the investigation is complete and the charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant is in custody for more than one year. The trial may take some time to conclude. In my opinion, the applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Shashikant Chandrakant Thorat in connection with C.R. No.727/2022 with Solapur Taluka Police Station, District Solapur, 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 Solapur Taluka 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 attend the trial regularly.

7. The application is disposed of.

(M. S. KARNIK, J.)