



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

**BAIL APPLICATION NO. 3513 OF 2023**

|                                |              |
|--------------------------------|--------------|
| BARKYA ALIAS RAM NARAYAN PATIL | ..APPLICANT  |
| VS.                            |              |
| THE STATE OF MAHARASHTRA       | ..RESPONDENT |

Mr. Y.G. Thorat i/b Mr. S.B. Thorat, for the Applicant.  
Mr. P. H. Gaikwad, APP for the State.

**CORAM : M. S. KARNIK, J.**

**DATE : NOVEMBER 8, 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, 323, 34 of the Indian Penal Code, 1860 registered on 17/08/2023 vide C.R. No.333 of 2023 with Daighar police station.
- 3.** The applicant is arrested on 08/09/2023. The informant is the mother of the deceased-Suraj Gaikwad. Suraj committed suicide on 14/08/2023. Suraj married accused no.1-Roshni 4 years ago. Suraj was addicted to alcohol. Due to said alcohol addiction, there were clashes between Suraj and his wife- Roshni-accused no. 1. 8 days

prior to the incident, there was a quarrel between Suraj and his wife. Suraj had assaulted Roshni. Therefore Roshni left the house and went to her parents house at Kalamboli. On 14/08/2023 the informant was sleeping in her mother-in-law's house. At around 4.00 a.m. in the morning, Suraj came in drunken condition. The deceased called the informant. When she returned home, the informant noticed the scratches on the nose of Suraj. Even after coming to home, Suraj started consuming alcohol. Suraj asked the informant to go to sleep. When the informant returned at 6.30 a.m., she saw that Suraj had hanged himself to the iron rod by a saree. The FIR is registered after 3 days. It is alleged that present applicant and accused no.1 Roshni had assaulted Suraj and therefore he committed suicide.

**4.** Learned APP opposed the application for bail. In my opinion, further custody of the applicant is not necessary as the investigation is complete. The charge-sheet has been filed. The applicant can be enlarged on bail in the facts and circumstances of the present case. Hence, the following order :-

**ORDER**

- (a) The application is allowed.
- (b) The applicant- Barkya alias Ram Narayan Patil in connection with C.R. No. 333 of 2023 registered with Daighar 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 is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (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. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall not contact the witnesses.

**5.** The application is disposed of.

**(M. S. KARNIK, J.)**