



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

BAIL APPLICATION NO. 3903 OF 2023

TULJARAM NARSING ALLAM	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Mr. Ujwal Agandsurve, for the Applicant.
Ms. Veera Shinde, APP for the State.
PSI- Ajay Rathod, Jail road police staion Solapur present.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 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 read with 34 of the Indian Penal Code, 1860 registered on 28/05/2023 vide C.R. No. 214 of 2023 with Jail Road police station, Solapur city. The applicant was arrested on 04/06/2023.
3. The applicant is the accused no.1. Accused no.2 is the mother of the applicant no.1 who is granted anticipatory bail. The applicant was arrested on 04/06/2023. The victim was the applicant's neighbour. She lost her husband

coupled of years ago. It is the case of the prosecution that the victim consumed poison on 21/05/2023. The victim died on 26/05/2023. The case of the prosecution is that it was because of the harassment on the part of the accused that the victim committed suicide. Learned APP invited my attention to the statement of the victim's sister. Learned APP submitted that the incidents of the harassment are set out which clearly reveals that it is the applicant and his mother who are responsible for the death of the victim. My attention is invited to the statement of the victim's son who has stated about the harassment.

4. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. Learned APP states that though the child is staying at Pandharpur. He is taking education at Solapur city.

5. Learned counsel for the applicant submits that the applicant is willing to stay outside Solapur city and will not enter Pandharpur Taluka till the conclusion of the trial if it is the contention of the learned APP that the witnesses may be threatened and the evidence may be tampered. In the facts

and circumstances of the present case, the applicant can be enlarged on bail. Continuation of the applicant in custody will only be by way of a pre-trial punishment. The applicant will face the consequences of the trial if found guilty. is Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Tuljaram Narsing Allam in connection with C.R. No. 214 of 2023 registered with Jail Road police station, 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 Jail Road police station, Solapur once in a month 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.
- (e) The applicant shall not tamper with evidence and threaten the witnesses.

(f) 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.

(g) Except for attending the trial and for the purpose of reporting to the investigating officer, the applicant shall not enter the Solapur City and Pandharpur Taluka after being released on bail, till the trial concludes.

(h) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(i) The child witness be provided necessary protection in case the apprehension is expressed of intimidation by the applicant.

6. The application is disposed of.

(M. S. KARNIK, J.)