



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 BAIL APPLICATION NO. 97 OF 2024

1. Kiran Bhimrao Barkade
2. Pradeep Ajinath Padule

..APPLICANTS

-VERSUS-

The State of Maharashtra

..RESPONDENT

...
Advocate for Applicants : Mr. Pavse Ashok S.
APP for Respondent/State : Mrs.Pratibha J. Bharad
...

CORAM : SANJAY A. DESHMUKH, J.
DATED : 30th JANUARY, 2024.

PER COURT :-

1. The applicants are seeking bail in connection with crime No.0157 of 2023 registered at Bhoom Police Station, Tq. Bhoom, Dist. Osmanabad, for the offences punishable under sections 306, 323, 504, 506 read with 34 of the Indian Penal Code.

2. Report is lodged by mother of deceased Faiyyaz, who committed suicide, on the allegations that the applicants and other accused demanded some amount to Faiyyaz, and therefore, he committed suicide. It is alleged that the applicants abetted Faiyyaz for commission of the suicide and therefore, the report is lodged against the applicants and other accused.

3. The learned advocate for the applicants submitted that the names of the applicants are not mentioned in the report. The applicants are falsely implicated in the crime. Some of the accused are released on regular bail as well as anticipatory bail. Role of the applicants is not specifically mentioned either in the report or any other document or alleged recording made on the mobile of Faiyyaz. The learned advocate, therefore, prayed to allow the application.

4. The learned APP for the respondent/State strongly opposed the application and it is contended that the applicants abetted Faiyyaz for commission of suicide by demanding some money.

5. Perused the report and papers of investigation. Without adverting to the merits of the case, the applicants have roots in the society and they will not flee away from the trial. The trial would take long period. Considering all these aspects and the facts and circumstances of the case, the application deserves to be allowed on certain conditions. Hence the following order.

O R D E R

- I. Application is allowed.
- II. The applicants in connection with crime No.0157 of 2023 registered at Bhoom Police Station, Tq. Bhoom, Dist. Osmanabad, for the offences punishable under sections 306, 323, 504, 506 read with 34 of the Indian Penal Code, be

released on bail on furnishing personal bond of Rs.25,000/- each with one surety of the like amount by each of them on following conditions:-

- a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence in any manner.
- b) The applicants shall not enter into Bhoom city till the conclusion of the trial except the dates scheduled at trial Court for attending the case.
- c) If any breach of the conditions is noticed by the Investigating Officer and the prosecution, they are at liberty to file the application for cancellation of bail before the trial Court. The trial Court shall decide it without further reference to the Court.

(SANJAY A. DESHMUKH, J.)