



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 353 OF 2024

Ashwini W/o. Dipak DatirApplicant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....
Mr. P.R. Nangare, Advocate for applicant.
Mr. S.R. Wakle, APP for State.

.....

WITH

ANTICIPATORY BAIL APPLICATION NO. 225 OF 2024

Dattatray Rabhaji LandageApplicant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....
Mr. R.R. Karpe, Advocate for applicant.
Mr. S.R. Wakle, APP for respondents.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 19th MARCH, 2024

ORDER :

1. Applicants apprehend arrest in C.R. No. 805 of 2023, registered with Akole Police Station, Dist. Ahmednagar, for offences punishable under sections 306, 323, 504, 506 r/w 34 of Indian Penal Code.

Bhagyawant Punde

2. FIR is lodged by Satish Datir stating that his brother Deepak Datir has committed suicide by hanging on account of harassment caused by his wife who was having illicit relations with various persons.

3. Heard learned advocates for applicants and learned APP for respondent-State. Perused the investigation papers.

4. Learned advocates for applicants submit that ingredients of section 306 of IPC are not made out from FIR and hence applicants are entitled for protection.

5. Learned APP opposed the application by relying on investigation papers. He submits that in the suicide note deceased has specifically mentioned names of applicants who have abetted the suicide.

6. The suicide note describes illicit relations between his wife and persons named in the note including applicant in ABA No. 225/2024. The suicide note spells out abetment by both the applicants, which compelled deceased to commit suicide.

7. Considering the complicity of applicants and gravity of accusations levelled against applicants, they are not entitled

for discretionary relief of anticipatory bail. For effective investigation, their custodial interrogation is necessary.

8. In the result, Anticipatory Bail Application No. 353 of 2024 and Anticipatory Bail Application No. 225 of 2024 are rejected.

9. At this stage, learned advocate for applicant in Anticipatory Bail Application No. 225/2024 prays for continuation of interim protection. For the reasons stated in the order, the said prayer is rejected.

[NITIN B. SURYAWANSHI, J.]