



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 BAIL APPLICATION NO. 413 OF 2024
WITH
CRIMINAL APPLICATION NO. 1416 OF 2024
IN BA/413/2024

PAWAN GANESH MUTEKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondents-State : Ms. P. J. Bharad.
Advocate for Informant to assist APP : Mr. Khedkar A. S.

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CORAM : S. G. MEHARE, J.
DATE : 01.07.2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State.
2. The applicant seeks bail in Crime No.297 of 2023, registered with Jawaharnagar Police Station, District Aurangabad, for the offences punishable under Sections 306, 304-B, 498-A, 323, 504 read with Section 34 of the IPC.
3. The victim committed suicide within three years. After the death, the allegations of demand of dowry and ill treatment have been made. The best evidence in this case is the diary maintained by the victim/deceased. The prosecution has evidence that the father of the victim was sending money

to the bank account of the applicant. The accused has an explanation that since there was some function, it was decided to share the expenses equally and for that purpose, the money was transferred to his bank account. Except for the said period, there was no transfer of the money in his account. The prosecution had an explanation that the applicant was addicted, therefore the father of the deceased was sending money to them.

4. Considering the diary maintained by the deceased which was for a good period, she did not whisper about ill treatment to her on demand of money. In brief, her grievance was that the applicant was addicted to liquor, tobacco and the company of his friends. It has also been mentioned in the diary that he used to talk with many girls. The grievance of the deceased as appeared from the diary was that the applicant was not paying attention towards her and she was not satisfied with his conduct and her matrimonial life was disturbed. In view of that matter, the Court is of the view that there is a scope to grant the bail to the applicant. Hence the following order :

ORDER

- (i) Bail Application is allowed.

- (ii) Applicant **PAWAN GANESH MUTEKAR** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, on the condition not to tamper with the prosecution witnesses.
- (iii) Criminal Application No.1416 of 2024 stands disposed of.

(S. G. MEHARE, J.)

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vmk/-