



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

959 ANTICIPATORY BAIL APPLICATION NO. 1140 OF 2024

1. Shekh Rauf Shekh Yousuf.
2. Shahja Begum Shekh Rauf. **... Applicants**

Versus

The State of Maharashtra. **... Respondent**

...
Advocate for Applicant : Mr. Moisalil Amjedali Syed.
APP for Respondent/State : Mr. P. K. Lakhotiya.
...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 26th July, 2024.

P.C.:

. The applicants apprehend arrest in Crime No.254 of 2023, registered with Cantonment (Chawani) Police Station, District Aurangabad, for the offences punishable under Sections 306 and 304-B read with 34 of the Indian Penal Code.

2 It is the prosecution's case that informant's sister married with accused No.1 on 7th May, 2023. The applicants are father-in-law and mother-in-law of the deceased. It is alleged that the applicants and co-accused ill-treated the deceased on demand of dowry. Due to the ill-treatment of the applicants and co-accused, the deceased committed suicide by hanging herself.

3 It is the contentions of the learned counsel for applicants that the applicants have been falsely implicated in this case. The applicants never ill-treated the deceased. The matter is settled between the parties. The informant has filed affidavit before this Court stating that he has no objection if the bail is granted to the applicants. The learned counsel for applicants tendered affidavits of the informant and his father. The same are taken on record. The learned counsel for applicants requested to allow the application as the custodial interrogation of the applicants is not required.

4 It is the contention of the learned APP that within one month of the marriage, the deceased has committed suicide due to the ill-treatment of the applicants and the co-accused. Their custodial interrogation is required and requested to reject the application.

5 I have heard both the learned counsel. Perused the FIR and the police papers produced on record. The allegations against the applicants are that they ill-treated the deceased for demanding dowry and due to the ill-treatment, she committed suicide. No suicide note is found with the deceased. So, it is unclear if she has committed suicide because of the ill-treatment or any other reason. Moreover, the matter is settled between the parties. Considering this fact, custodial

interrogation of the applicants is not required and I pass the following order:

ORDER

- I. The application is allowed.
- II. In the event of arrest of the applicants in connection with Crime No.254 of 2023, registered with Cantonment (Chawani) Police Station, District Aurangabad, for the offences punishable under Sections 306 and 304-B read with 34 of the Indian Penal Code, they be released on executing personal bond of Rs.20,000/- each with one surety in the like amount by each of them on the following conditions.
 - a) The applicants shall attend the concerned police station as and when required by the Investigating Officer and shall co-operate in the investigation.

[SHIVKUMAR DIGE, J.]

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