



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

23 BAIL APPLICATION NO. 1439 OF 2024

RAMRAO GOPALRAO AAGLAVE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Pathan Hamzakhan I.
APP for Respondent/s-State : Mr. AAA Khan.

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CORAM : S. G. MEHARE, J.

DATE : 23.09.2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant seeks bail in Crime No.336 of 2023, registered with Ahmedpur Police Station, District Latur, for the offences punishable under Sections 302, 306, 304-B, 498-A, 323, 504, 506 read with Section 34 of the IPC.

3. Prosecution has a case that the deceased committed suicide within three months of her marriage because she was ill-treated and harassed for demand of dowry of Rs.5,00,000/-. The another allegation against the applicant was that when they were going to village Dhamangaon, the applicant beat her and was not taking her to the hospital. The

death is within seven years, hence, the legal presumption are running against the applicant.

4. Learned counsel for the applicant submits that the allegations reveal against the applicant in FIR are false. The investigation papers reveal that she had a suspicion against the applicant that he has illicit relations with his sister-in-law. Those chits are totally silent about the ill-treatment and harassment for the dowry demand. One of the witnesses, who witnessed the incident of falling down from the vehicle states that it was a vehicular accident. Both of them had minor injuries and they went to the local hospital. He submits that under the misconception of the illicit relationship she might have committed suicide.

5. Learned APP would submit that the contents of the chits written by the victim are sufficient to believe that she had mental torture and agony. This is also a sufficient material to believe that the applicant was the person at whose instigation she ended her life. The offence is serious. Hence, he may not be granted bail.

6. Perusal of the papers reveals that there are two contradictory stories. One is about ill-treatment and harassment for dowry and other was she had a suspicion

against the applicant about the illicit relation with his sister-in-law. No weapon has been used in the crime. She hanged herself in the house of the applicant. The applicant himself took her to the hospital.

7. Considering two stories, the Court is of the view that the applicant may have a probable defence. His detention would serve no purpose. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **RAMRAO GOPALRAO AAGLAVE** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, on the following conditions :
 - (a) The applicant should not tamper with the prosecution witnesses.
 - (b) He should attend the trial on each and every effective date.

(S. G. MEHARE, J.)

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