



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

54 ANTICIPATORY BAIL APPLICATION NO. 1389 OF 2024

Sayed Abdul Quadeer Sayed Abdul KheleqApplicant

VERSUS

The State of Maharashtra & anotherRespondents

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Mr. N. S. Ghanekar, Advocate for Applicant.

Mr. P. K. Lakhotiya, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 14th OCTOBER, 2024.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 0189/2024, registered with Peth Beed Police Station, Tq. & Dist. Beed, for the offences punishable under Section 85, 80, 352, 3(5), 115 of Bharatiya Nyaya Sanhita, 2023.

2. First Information Report indicates that the sister of the informant was married to son of the Applicant on 11.11.2022. After about month of marital tie, the inlaws started taunting and abusing her. They started demanding dowry from the sister of the informant and on that count harassment was caused to her. It is also stated therein that the deceased was carrying pregnancy of six months. On

12.07.2024, sister of the informant told her sister about harassment being caused by the inlaws. On 14.07.2024, she committed suicide by hanging herself.

3. Learned counsel for the Applicant submits that though the Applicant is father of the husband of the deceased, however, according to him, Applicant and co-accused Farhana were divorced in the year 2005 and thereafter the Applicant had performed second marriage and out of the said wedlock he is having a child. It is his submission that only in the capacity of father, he attended the marriage of his son but he never stayed alongwith his son and daughter-in-law. It is therefore his submission that the Applicant is not involved in this crime and he deserves pre-arrest bail.

4. Learned APP though opposed the application however, from perusal of the record it does not appear that Applicant was staying along with deceased at any point of time. If it is so, question of harassing by Applicant does not arise. In view of this, liberty of the Applicant deserves to be allowed. Hence, the following order :-

ORDER

- (i) Application is allowed.

(ii) In the event of arrest of applicant in connection with Crime No. 0189/2024, registered with Peth Beed Police Station, Tq. & Dist. Beed, for the offences punishable under Sections 85, 80, 352, 3(5), 115 of Bharatiya Nyaya Sanhita, 2023, he be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(iii) He shall attend the concerned police station once in a week.

(iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He is further directed to cooperate the investigating agency for further investigation.

(vii) Learned APP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI)
Judge