



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 ANTICIPATORY BAIL APPLICATION NO. 1555 OF 2024

BHASKAR MARUTI NIVDUNGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Latange Vijay Prabhakar Rao
APP for Respondents/State : Mrs. V.S. Choudhari

...
CORAM : ARUN R. PEDNEKER, J.

Dated : November 22, 2024

PER COURT :-

1. Heard Mr. V.P. Latange, learned counsel for the applicant and the learned APP for the respondents/State.
2. The applicant is apprehending arrest in connection with Crime No. 589/2024 dated 15.8.2024 registered at Parner Police Station, District Ahmednagar for the offences punishable under sections 108, 352, 351 (2) of Bhartiya Nyaya Sanhita, 2023.
3. On perusal of the F.I.R., it is seen that the complainant is the daughter of the deceased. In the F.I.R., it is alleged that and the deceased had sold some of his ancestral land to the applicant in 2022. It is further alleged that there was also prior purchase of land by the applicant from the deceased. The deceased was habitual in alcohol consumption. It is alleged that the applicant was insisting to the deceased for measurement of the purchased land and handing over possession of the same and thus harassment was caused to the deceased.
4. This court vide order dated 18.9.2024 had granted interim protection to the applicant. Applicant had thereafter cooperated with the investigation. From the perusal of the F.I.R., prima facie, it cannot be said that the applicant is directly responsible for suicide of the deceased. The applicant had purchased the land from the deceased. It is also brought to the notice of this Court that deceased had filed application before the revenue

authorities that he has voluntarily sold the land to the applicant and therefore, mutation entries were made by the revenue authorities. Considering the above facts situation, I deem it appropriate to hold that custodial interrogation of the applicant is not necessary and the applicant is entitled for anticipatory bail.

5. In view of the above, the application is allowed and the interim protection granted by this Court vide order dated 18.9.2024 is confirmed on the following terms :

- i] The applicant shall attend the police station as and when required.
- ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.
- iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

ssc/