



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1489 OF 2023

1. Mallinath Kashinath Mali @ Unhale
 2. Shrishalya S/o Sharnappa Mali
-Applicants

VERSUS

The State Of Maharashtra & Another

.....Respondents

.....

Mr. P.S. Chavan, Advocate for applicants.
Mr. S.B. Jadhav, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 22nd JANUARY, 2024

ORDER :

1. Applicants apprehend arrest in Crime No. 265 of 2023, registered with Murum Police Station, Osmanabad, for offence punishable under Section 306 read with 34 of Indian Penal Code.
2. FIR is lodged by Rajendra Mali alleging that accused persons were harassing his father on account of partition of agricultural land, for which a civil suit was also filed. From time to time, his father was assaulted, abused and threatened. Fed up with said harassment his father committed suicide by jumping into the well on 03.08.2023.

Bhagyawant Punde

3. Heard learned advocate for applicants and learned APP for respondents. Perused the charge sheet.

4. Charge sheet is filed in present matter on 23.12.2023. From the investigation papers and the allegations made in the FIR, *prima facie*, no offence under Section 306 of IPC is made out.

5. As the charge sheet is filed in the present matter, custodial interrogation of applicants is not necessary. The application is therefore allowed by confirming interim protection granted on 08.09.2023.

[NITIN B. SURYAWANSHI, J.]