



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 1902 OF 2023**

**AJINKYA DILIP RAUT AND ANOTHER  
VERSUS**

**THE STATE OF MAHARASHTRA AND ANOTHER**

...

Mr. Arvind G. Jadhav, Advocate for Applicants

Mr. A.R. Kale, APP for Respondent No.1

Mr. Akash V. Peche, Advocate for Respondent No.2

...

**CORAM : NITIN B. SURYAWANSHI, J.**

**DATE : 12<sup>th</sup> JANUARY, 2024**

**PER COURT :**

1. Applicants apprehend arrest in Crime No.991/2023, registered with Newasa Police Station, Ahmednagar, for offence punishable under Sections 306, 504 of the Indian Penal Code.

2. FIR is lodged by Halima @ Amruta Akshay Raut on 10/10/2023 alleging that her husband Akshay Raut committed suicide on 10/07/2023 and his suicide was abetted by applicant Nos.1 and 2 i.e. real brother and step-mother of her husband respectively, as they refused to give him share in his father's property.

3. Heard learned advocate for applicants, learned advocate for respondent No.2 and learned Assistant Public Prosecutor for State. Perused the investigation papers.

4. *Prima facie*, it appears that no ingredients of Section 107 of I.P.C. are made out in present case. Therefore, Section 306 cannot be said to be attracted in the present matter. There is considerable delay in lodging FIR. Possibility cannot be ruled out that so as to pressurise applicants to give share in the property present FIR is lodged.

5. It appears that initially A.D. No.109/2023 was registered and statements of witnesses were recorded, wherein all the witnesses have stated that deceased Akshay was in depressed state of mind after accidental death of his father Dilip Raut. He was not talking to anyone and in said depression he has hanged himself.

6. Nothing is to be recovered from applicants. Applicants were granted interim protection and they have co-operated in investigation. Investigation appears to be almost complete.

7. In that view of the matter, application is allowed by confirming interim protection granted vide order dated 09<sup>th</sup> November, 2023, on same terms and conditions.

8. Till filing of charge-sheet applicants to attend concerned police station as and when called by Investigating Officer and co-operate in the investigation. Applicants shall not tamper prosecution evidence.

**(NITIN B. SURYAWANSHI, J.)**