



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

BAIL APPLICATION NO. 2210 OF 2023

Sharad s/o Kantaram Dabhade
Age : 19 years, Occu. Labour,
R/o. : Pimparkhed, Tq. Ghansangavi,
Dist. Jalna .. Applicant

Versus

1. The State of Maharashtra
Through Superintendent of Police,
Dist. Beed.
2. The Police Inspector,
Police Station Talwada,
Dist. Beed. .. Respondents

Mr. Sachin S. Deshmukh, Advocate for the Applicant.
Mrs. Pratibha J. Bharad, APP for Respondent Nos. 1 and 2.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 15th JANUARY, 2024.

P. C. :-

1. This is an application for grant of regular bail under Section 439 of the Code of Criminal Procedure. The applicant is arrested in the Crime No. 155/2023 registered with Talwada Police Station for the offence punishable under Section 305 of the Indian Penal Code (for short "I.P.C.").

2. It is averred in the report that the father of the victim girl noticed

that, on 21.06.2023 at about 12.00 noon his daughter went away from the home to attend the nature's call. She did not turn back. Therefore, search was taken. There was doubt in the mind of the informant that this applicant might have abducted her. Thereafter, on 22.06.2023 at about 07.30 p.m. it was noticed that dead body of daughter of the informant was floating in the river.

3. Thereafter, Section 305 of the I.P.C. is roped against the applicant.

4. The learned advocate for the applicant submitted that, it is alleged that daughter of the informant was under mental pressure and therefore, she has committed suicide. It is nowhere alleged that the applicant abetted and instigated her for commission of suicide. He invited attention to the statement of the informant that, there is no any allegation against this applicant that he pressurized daughter of the informant for performing marriage with him. He lastly submitted that, custodial investigation is not necessary. He prayed for bail.

5. Heard learned A.P.P for the State. The learned A.P.P submitted that, supplementary statement of the informant clarifies all the facts of this case. The applicant was pressurizing to perform the marriage to daughter of the informant who was 16 years and 09 months old. Therefore, she committed suicide.

6. Perused the papers of investigation. The practical investigation is over and custodial investigation of the applicant is not necessary. The trial will take long period. At the most, the applicant can be directed that, he cannot enter into the village Pimparkhed till the decision of the trial. The application therefore deserves to be allowed on certain conditions.

7. The application is allowed.

8. The applicant in connection with Crime No. 155/2023 registered with Talwada Police Station for the offence punishable under Section 305 of the I.P.C. be released on bail on execution of PR. bond of Rs. 25,000/- (Rs. Twenty Five Thousand only) with one surety of the like amount on following conditions :-

i) The applicant shall not enter into village Pimparkhed, Taluka Ghansangavi, District, Jalna till the decision of the trial.

ii) The applicant shall not pressurize the prosecution witnesses and tamper with the evidence.

9. The application is disposed of.

(SANJAY A. DESHMUKH, J.)

P.S.B.