



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2033 OF 2023

1. Brijlal Senda Valavi
2. Soham Brijlal Valavi ... Applicants

VERSUS

The Police Inspector,
Police Station Dhadgaon,
Tq. Dhadgaon, Dist. Nandurbar ... Respondent

.....
Mr. Rahul B. Temak, Advocate for Applicants
Mr. C.V. Bhadane, APP for Respondent – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 25th APRIL, 2024

ORDER :

1. Applicants apprehend arrest in Crime No. 200 of 2023, registered with Dhadgaon Police Station, District-Nandurbar for offences punishable under sections 306, 504 read with section 34 of the Indian Penal Code.

2. FIR is lodged by brother of deceased alleging that his sister Kantibai was married with applicant no.1 and since last one year, he was giving her ill-treatment as he was not liking her. Fed up with ill-treatment, she committed suicide.

3. Heard learned advocate for applicant and learned APP for respondents – State.

4. It appears from the record that marriage of Kantibai with applicant no.1 had taken place in the year 1996. It is therefore difficult to believe that after 25 years of the marriage, applicant no.1 started ill-treating Kantibai on the ground that he does not like her. Son begotten from marriage namely, Soham who is 22 years old is also arraigned as accused in the FIR. *Prima facie*, it appears that FIR is lodged only due to personal grudge.

5. Investigation appears to be almost complete. Applicants were granted interim protection and they have co-operated in the investigation. As nothing is to be recovered from applicants, their pre-trial custodial detention is not necessary in the facts for the present case.

5. Application is therefore allowed by confirming interim protection granted to applicants by order dated 12.12.2023.

6. Till filing of charge-sheet, applicants shall attend concerned Police Station as and when called by the Investigating Officer. Applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE