



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

932 ANTICIPATORY BAIL APPLN. NO. 137 OF 2025

DIPAK BHAGWAN CHAUDHARI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr.S.P.Pandit
APP for Respondent-State : Mr.S.P.Sonpawale

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 06.03.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No. 5/2025, registered with Nandurbar City Police Station, Nandurbar, for the offence punishable under Section 108 and 3 (5) of the Bharatiya Nyaya Sanhita.

3] This Court, by order dated 21.02.2025, has granted interim protection in favour of the applicant for the submissions and reasons stated in para nos. 3, 4 and 5, as noted below :

3] It appears that the applicant had handed some money to the deceased for some gambling purpose and the deceased was unable to return

the said money. It is alleged that few days prior to the incident, the deceased was threatened by two persons in which possibly the present applicant is involved.

4] The learned counsel for the applicant submits that he would surrender his phone to the police.

*5] Considering the nature of allegations and considering the law laid down in the case of **Mahendra Awase Vs. The State of Madhya Pradesh** reported in **MONU/SC/0078/2025**, prima facie it cannot be said that the applicant has instigated or driven the deceased to commit suicide. The applicant possible wanted the money back.*

4] The learned counsel for the applicant submits that in pursuance of the aforesaid order, the applicant has attended the concerned police station and has co-operated with the investigation.

5] The learned APP submits that voice samples are yet to be taken from the applicant.

6] Considering this, the interim protection granted by order dated 21.02.2025 stands confirmed, in the following terms :

i] The applicant shall attend the concerned police station as and when required by the investigation officer for the purpose of voice sample and any other purpose.

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.

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

8] 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.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC