



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

926 ANTICIPATORY BAIL APPLN.NO. 1386 OF 2024

**VILAS ANANDA CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.N.L.Chaudhari
APP for Respondent-State : Mr.V.M.Chate
Advocate for Assist to P.P. : Mr.Atul Pawar h/f.
Mr.B.S.Deshmukh

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**WITH
ANTICIPATORY BAIL APPLN.NO. 1410 OF 2024**

1] DNYANESHWAR MOHAN CHAUDHARI
2] PRAKASH @ SAMADHAN ANANDA CHAUDHARI
3] ANANDRAO HARIDAS CHAUDHARI
4] BHUSHAN BHAGWAT CHOUDHARI

**VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Applicants : Mr.Amol S. Sawant
APP for Respondent-State : Mr.V.M.Chate
Advocate for Assist to P.P. : Mr.Atul Pawar h/f.
Mr.B.S.Deshmukh

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CORAM : ARUN R. PEDNEKER, J.

DATE : 16.01.2025

P.C. :

1] Heard learned counsel for the applicants, the learned counsel for the Assist to P.P. and the learned APP for the respondent-State.

2] The applicants are apprehending arrest in connection with Crime No. 234/2024, registered at Mohadi Police Station, Dhule, District Dhule, for the offences punishable under sections 108, 115 (2), 352, 351 (3), 3 (5) of the Bharatiya Nyaya Sanhita.

3] The learned counsel for the applicants submits that it is alleged in the FIR that the deceased was making calls to the married sister of Rakesh, as such, matrimonial dispute arose between the married sister of Rakesh and her husband. Thereafter, on 11.07.2024, co-accused Rakesh called deceased in front of Dissan Gate and he assaulted him and asked him to stay away from his sister. Thereafter, on 13.07.2024, Rakesh along with present applicants had been to the work place of the deceased and had threatened him to stay away from the sister of Rakesh otherwise they would kill him or throw him out of the society. Thereafter, on 14.07.2024, the deceased has committed suicide. The learned counsel for the applicants submits that this Court, by orders dated 14.08.2024 and 19.08.2024, has granted interim protection in favour of the applicants. In terms of the said orders, the applicants have attended the concerned police station and have co-operated with the investigation.

4] It appears from the statement of Umesh Bhadane, who was witnessed the incident of 13.07.2024,

prima facie it cannot be said that the applicants intended that the deceased should commit suicide. Considering the law laid down in the case of **Nipun Aneja and others Vs. State of Uttar Pradesh** in **Criminal Appeal No.654 of 2017** decided on 03.10.2024 and in the case of **Arnab Manoranjan Goswami Vs. State of Maharashtra & ors** reported in **AIR 2021 SC 1**, *prima facie* it cannot be said that the applicants intended that the deceased should commit suicide, so also, in terms of orders dated 14.08.2024 and 19.08.2024, the applicants have attended the concerned police station and have co-operated with the investigation. In view of the same, the interim protection granted by this Court by orders dated 14.08.2024 and 19.08.2024 stand confirmed, in the following terms :

- i] The applicants shall attend the concerned police station as and when required by the investigating officer.
- ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.
- iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

5] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

6] 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.

7] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC