



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

947 ANTICIPATORY BAIL APPLN. NO. 1420 OF 2024

KISAN RAMESH GUPTA

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr.S.G.Shinse
APP for Respondent-State : Mr.A.A.A.Khan

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12.02.2025

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. 0091/2024, registered with Vedantnagar Police Station, District Chhatrapati Sambhajnagar, for the offence punishable under Section 306 of the IPC.

3] The allegation against the applicant is that the accused no. 1 has developed illicit relations with the present applicant and therefore she was avoiding deceased Akash. It is alleged that the applicant had instigated the deceased to commit suicide.

4] The learned counsel for the applicant submits that this Court by order dated 05.09.2024 has granted interim protection in favour of the applicant. In terms of the said order, the applicant has attended the concerned police station and has co-operated with the investigation. He further submits that considering the allegations made against the applicant do not constitute the ingredients of Section 306 of the IPC. He further submits that the Additional Sessions Judge, Aurangabad, by order dated 03.06.2024 has granted regular bail in favour of the co-accused, who had relations with the deceased. He further submits that there is no material to show the involvement of the applicant in the alleged crime.

5] The learned APP has produced whats-app chat before the incident between the deceased and accused no.1.

6] *Prima facie*, there is no evidence to connect the applicant in the alleged crime. The whats-app chat between accused no.1 and the deceased just before suicide does not show strained relation between the accused no.1 and deceased on account of her relation with the applicant. Considering the same, the interim protection granted by order dated 05.09.2024 stands confirmed, in the following terms :

i] The applicant shall attend the concerned police station as and when required by the investigating officer.

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