



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1779 OF 2024 WITH
CRIMINAL APPLICATION NO. 4713 OF 2024
IN ABA/1779/2024

Rakesh Yashwant Chaudhari

VERSUS

The State Of Maharashtra

- Mr. A. S. Sawant, Advocate for the Applicant
- Mrs. M. N. Ghanekar, APP for the Respondent/State
- Mr. A. M. Pawar, Advocate for the Informant

CORAM : R. M. JOSHI, J
DATE : JANUARY 29, 2025

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 234/2024 registered with Dhule Mohadi Nagar Police Station, Dist. Dhule for the offences punishable under Sections 108, 115(2), 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita.

2. The FIR is lodged by father of deceased Suraj who committed suicide on 16.07.2024. It is stated in the FIR that present Applicant used to question deceased about as to why he is calling his sister time and again and because of same, she is being harassed by her in-laws. Applicant has also drawn attention of the

Informant about said incident so also the incident in question in which there was a fight between Applicant and deceased. It is alleged that on 13.07.2024 the deceased neither came home nor went to the workplace. On 15.07.2024 Applicant went to the workplace of the deceased and had told owner to remove him from the employment and he will kill him. From the report it indicates that at 10.30 am on 16.07.2024 it was revealed to the owner of Prachi Furniture the deceased committed suicide by hanging himself.

3. Learned Counsel for the Applicant submits that Applicant had intimated to the informant about incident occurred between him and the deceased. Learned Counsel for the Applicant submits that if there was intention of the Applicant to drive deceased to commit suicide, there was no question of he informing the same to his father and even to call for the meeting.

4. Learned APP and learned Counsel for Informant opposed the application. Learned APP has drawn attention of the Court to the statement of one of the witness who claims that on 13.07.2024 present Applicant had threatened the deceased to kill him.

5. Perusal of the FIR indicates that there was some incident occurred between the Applicant and deceased over the issue of deceased calling married sister of the Applicant. It also further indicate that Applicant was taking objection to such calls as on that count his sister was harassed by her in-laws. This Court finds substance in the contention of learned Counsel for Applicant that had Applicant intention to drive deceased to commit suicide, there was no question of he informing the same to his father and calling him to resolve the issue. As far as the statement of the said witness is concerned, same is recorded on 16.08.2024. Statement thus being belated *prima facie* loses its importance.

6. Having regard to the aforestated facts, this Court finds no reason not to allow the application. Applicant has no criminal history and is not likely to flee from justice. Hence, application is allowed by confirming interim order. Pending application stands disposed of.

(R. M. JOSHI, J.)