



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

945 ANTICIPATORY BAIL APPLN NO. 619 OF 2025

AKASHSINH ANANTSINH KACHAVA (THAKUR)

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr.V.D.Karande

APP for Respondent-State : Mr.Ruchir S. Wani

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 02.05.2025

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.203/2019, registered with Itwara Police Station, Dist. Nanded, for the offence punishable under Section 304 (B), 498 (A), 323, 109, 504, 506, 34 of the IPC.

3] This Court, by order dated 22.09.2020 in ABA Nos.715/2020 & 716/2020, has rejected Anticipatory Bail Application of the applicant for the reasons stated at para Nos. 10, 11 and 12, as noted below :

10. It is very strange to note that though the aforesaid injuries though noticed during the Inquest Panchanama,

but the Autopsy Surgeon who conducted the Post Mortem, has not noted such injury in the Post Mortem report. In Post Mortem report in column No. 17 the Autopsy Surgeon noted that Hyoid Cartilage and Hyoid bone found to be intact. If the deceased had hanged herself and died due to hanging, then in natural course the Hyoid Bone of the deceased ought to have been found in broken condition. In that view, the circumstances on record raises serious doubt as to the cause of death of deceased. The Post Mortem appears to be recorded in most casual manner. No efforts have been made on the part of Investigating Officer to ascertain the time at which the death of deceased has resulted. Similarly, no attempt made to seek explanation as to why injuries which were noticed in the Inquest Panchanama not mentioned in the Post Mortem report. It appears that Post Mortem has been conducted in most casual manner. It appears that the statement of daughter of deceased who was present in the house not recorded.

11. *In view of nature of accusations made against the applicants that they have caused murder of deceased, I am of the view custodial interrogation of the applicants is necessary. Although the applicant Shitlabai claims to be 72 years old but in the charge sheet the age of Shitlabai is shown as 55 years. Both the applicants were present in the house along with accused. They are expected to offer explanation as to how the injuries were found on the body of deceased and reason for committing suicide by deceased.*

12. *In view of overall facts of the case, the nature of accusations against the applicants, the role attributed to applicants in commission of offence and deceased had died within five years of her marriage under suspicious circumstances, I am not inclined to entertain the application seeking anticipatory bail filed by applicants. The evidence on record rules out that applicants are falsely implicated in the case. They are absconding since the date of commission of offence. The Charge sheet has been filed against them as absconding accused. In that view, the applicants deserves do not deserves protection of law from arrest. Accordingly, the applications are rejected.*

4] Considering the above observations and considering that the applicant is still absconding, no case is made out for grant of anticipatory bail in favour of the applicant. Hence, the present application is dismissed.

[ARUN R. PEDNEKER]
JUDGE

DDC