



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1111 OF 2025

Srikant Rajesh Bartakke

....Applicant

VERSUS

The State of Maharashtra & another

.....Respondents

.....

Mr. S. S. Gangakhedkar, Advocate for Applicant.

Mr. R. S. Wani, APP for the State.

CORAM : ADVAIT M. SETHNA, J.

DATE : 18 JULY, 2025.

P. C. :

1. This Application is listed for the first time today.
2. **Issue Notice** to the Respondents returnable on **8 August 2025**. The learned APP waives service of notice on behalf of both the Respondents.
3. The proceedings relate to C.R. No. 0478/2025. The First Information Report (for short '**FIR**') is lodged on 19 May 2025 at 17.35 hours by Nanded Rural Police Station, District Nanded. The alleged offences are under Section 108 read with Section 3(5) of the Bharatiya Nayaya Sanhita, 2023 (for short '**BNS**'). The occurrence of the offence is shown from 12 May 2025 to 14 May 2025. There are

two accused persons as noted in the FIR out of which, Accused No. 2 Shrikant Rajesh Bartakke is Applicant before the Court. The Informant is one Shweta Vinod Patkar, aged 23 years, who is the sister of the deceased.

4. Briefly, from the FIR it appears that the Applicant is discharging his duties as the Principal of Guru Govindsingh Memorial School of Nursing (Lotus Campus), Dhangarwadi, Tq. & Dist. Nanded (for short '**the college**') since the year 2006. The Informant would allege that she and her brother were taking education in the said college. Her brother i.e. deceased was unable to pay the academic fees for the year and so the Applicant being the Principal of the college had not signed on the assignment of the deceased. He had also threatened the deceased that he will not give him internal marks on that count and he also used to remove the deceased from the classroom and thus the deceased was being insulted by the Applicant. In such circumstances, the deceased was under tremendous pressure/tension and due to such stress, he committed suicide by jumping from bridge at Hassapur road on 15 May 2025 as noted in the FIR. It was in these circumstances that the report was lodged and the FIR was registered.

5. Heard the learned Advocates for the parties and with their assistance perused the FIR and the record available before the Court.

6. The learned Advocate for the Applicant has taken the Court through various documents which would prima facie indicate that the fees for the academic year 2024-2025 amounting to Rs. 28,000/- has been duly paid by the deceased and also received by the said college. He would particularly refer to the document dated 16 May 2025 wherein a list of students who have paid the fees has been forwarded to the Maharashtra University of Health Sciences, Nasik (for short '**the said University**'). In the said list, the name of the deceased appears at serial No. 28 (page No. 27-Q). This would further indicate that the said college has not only received the fees for the academic year but also has forwarded it to the said University. He would also draw the attention of the Court to a document (page No. 27-O) issued by the said college where the due fees are noted as 'NIL' to show that there are no fees due and the same have been paid by the deceased.

7. Considering the nature of allegations, accusation made in the FIR, at this prima facie stage, in the light of the material placed

on record, there does not appear to be proximity between the nature of accusation and commission of suicide, along with proof of direct or indirect acts of incitement, inducement by the Applicant which led the victim to commit suicide/end his life.

8. The learned APP to take instructions, inter-alia, on the documents which are placed on record in the Application, as noted above.

9. Considering the above, at this prima facie stage, the Applicant deserves protection by the following order :-

O R D E R

- (i) Until adjourned date of hearing, in the event of arrest of the applicant Shrikant Rajesh Bartakke, in connection with C.R. No. 0478/2025, registered with Nanded Rural Police Station, District Nanded, for the offences punishable under Sections 108 r/w section 3(5) of the BNS, the applicant is directed to be released on bail on furnishing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) with one or more sureties in the like amount.
- (ii) The applicant shall attend the concerned Police Station on every Sunday at 11.30 am, until the further orders and shall cooperate with the investigation.
- (iii) The Applicant shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is

any change in the contact details, the same shall be immediately informed to the concerned police station.

- (iv) The applicant shall not leave the jurisdiction of the competent Court without prior permission, until further orders.
- (v) He shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

10. It is clarified that considering the above order, the Applicant is permitted to conduct the examination which is scheduled in the month of August 2025, for which his presence being the Principal of the college would be both warranted and necessary. This is fairly not objected to by the prosecution.

11. List the Application for further consideration/hearing on **8 August 2025.**

12. The protection granted today in favour of the Applicant shall continue until the adjourned date of hearing.

(ADVAIT M. SETHNA, J.)

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