



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

912 ANTICIPATORY BAIL APPLICATION NO. 1774 OF 2025

Baliram S/o Baban Rithe,
Age: 35 years, Occu: Agriculture,
R/o: Chittepimpalgaon,
Tq. & Dist. Aurangabad.

....Applicant

VERSUS

The State of Maharashtra

.....Respondent

.....
Mr. U. R. Mirza, Advocate for the Applicant
Mr. C. V. Bhadane, APP for the Respondent - State
.....

CORAM : NEERAJ P. DHOTE, J.

DATE : 09.10.2025

PER COURT :

1. Heard the learned Advocate for the Applicant and the learned APP for the Respondent – State on the point of interim protection. Perused the papers on record.

2. The first Informant's husband committed suicide by consuming poisonous substance in the afternoon of 31/08/2025. According to the Informant, five [05] gunthas of their land was mortgaged with the Co-accused in the year 2009. The Deceased wanted to release the same by paying the amount; however, the Co-accused was refusing to accept his request. On 05/08/2025, the Co-accused sold the said land to the Applicant's father. Thereafter, the FIR-named accused and others went to the house of

the Deceased to take possession of the land. The quarrel took place between them. The Deceased was manhandled by the accused persons and also threatened with dire consequences. Eventually, the Deceased committed suicide. Therefore, the Crime bearing No.0436/2025 came to be registered with Chikalthana Police Station, Aurangabad (Rural), for the offences punishable under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, against the Applicant and Co-accused.

3. The papers made available by the learned Advocate for the Applicant indicate that, the Applicant had filed the Civil Suit bearing No.876/2024 before the Civil Court at Aurangabad against the Deceased in respect of another landed property and the Civil Court granted temporary injunction in favour of the Applicant. Even on going through the FIR, prima facie the essential ingredients for the offence under which the Crime is registered, fall short of constituting the offence against the Applicant. Thus, prima facie case for interim protection is made out. Hence, the following order:

ORDER

[I] In the event of arrest of the Applicant, namely, Baliram S/o Baban Rithe, in connection with Crime No.0436/2025, Chikalthana Police Station, Chhatrapati Sambhajinagar for the offences punishable under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, he be released on bail on his furnishing P.B. of Rs.15,000/- [Rupees Thirty

Thousand], with one surety in the like amount, on the following conditions:

[a] The Applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate with the Investigation.

[b] The Applicant shall not tamper with the Prosecution evidence in any manner.

[II] Issue notice to the Respondent, returnable on **6th November, 2025.**

Learned APP waives service of notice for the Respondent – State.

[NEERAJ P. DHOTE, J.]

Sameer/October-2025