



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

31 ANTICIPATORY BAIL APPLICATION NO. 1111 OF 2025

SRIKANT RAJESH BARTAKKE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

AND

33 ANTICIPATORY BAIL APPLICATION NO. 1353 OF 2025

MAHADEVI BALAJI KORE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Gangakhedkar Shailendra S

APP for Respondents/State in ABA 1111/2025 : Mr. D. J. Patil

APP for Respondents/State in ABA 1353/2025 : Mr. S. A. Gaikwad

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CORAM : MEHROZ K. PATHAN, J.

DATE : 16th MARCH 2026

PER COURT :

1. Heard the learned Counsel for the Applicants and the learned APP for the Respondents/State.

2. The Applicants have approached this Court, seeking anticipatory bail application in connection with FIR No. 478 of 2025 dated 19.05.2025 registered with Nanded Rural Police Station, District Nanded for the offences punishable under Sections 108 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The learned Counsel for the Applicants submits that this Court, vide order dated 18.07.2025, had protected Applicant Srikant in ABA No. 1111/2025 and also protected Applicant Mahadevi vide order dated 04.08.2025 in ABA No. 1353/2025, subject to the condition of attending the police station and cooperating with the investigation.

. The learned Counsel for the Applicants submits that Applicant/Mahadevi was working as a Class Teacher at the Nursing College where the deceased victim was pursuing education, while Applicant/Srikant was the Principal of the said Nursing College. The Applicants had already accepted the form and necessary fees submitted by the deceased and found him eligible to appear for the University Examination. The relevant documents to that effect, filled in and signed by the deceased victim himself and certified by the Head of the Institution, are placed on record in support of this submission. The learned Counsel further submits that after accepting and certifying the deceased as eligible, his name was forwarded by the Principal of Guru Govind Singh Memorial School of Nursing, Nanded, who is the Applicant in ABA No. 1111/2025. Thus, the allegations are inherently improbable and a mere figment of the complainant's imagination.

4. The learned Counsel further submits that in pursuance to the interim order passed by this Court, Applicants have attended the police station and cooperated with the investigation. The investigation as regards the Applicants is almost complete. The

prosecution has submitted the charge-sheet after completing the investigation even against the Applicants. The Applicants have a good reputation in society and are not a flight risk. The Applicants are not having any other criminal antecedents and are ready to abide by any conditions that may be imposed by this Court.

5. As against this, the learned APP, Mr. Patil, as well as Mr. Gaikwad, appearing for the State in ABA Nos. 1111/2025 and 1353/2025, strongly oppose the application on the ground that the Applicants are directly referred to in the FIR, though not specifically named. The further investigation carried out by the prosecution has revealed the role of the present Applicants in continuously harassing the deceased victim for non-payment of tuition fees. The statements recorded during the course of investigation, particularly that of Datta Adhav, who was a student in the Nursing College where the Applicants were working as Teacher and Principal respectively, show that the deceased victim was made to stand outside the classroom solely because he had failed to pay the requisite tuition fees. The victim was also threatened with denial of internal marks by the faculty members of the College due to non-payment of tuition fees. Thus, the allegations in the FIR are corroborated by the evidence collected during the course of investigation, and there is sufficient material to show the involvement of the present Applicants.. Hence, this is not a fit case to grant anticipatory bail, and the said application may therefore be rejected.

6. I have gone through the investigation papers, which have now culminated in the filing of the charge-sheet by the prosecution. A perusal of the FIR as well as the charge-sheet papers shows that the investigation against the Applicants is almost complete. The allegations against the Applicants pertain to abetment of the commission of suicide. The statement of Datta Adhav indicates that there are allegations against the Applicants of threatening the deceased victim with denial of internal marks. However, whether such an allegation by itself would amount to instigation and abetment by the Applicants, leading the victim to commit suicide, is a matter to be decided by the trial Court after evidence is led to that effect.

. Thus, taking into consideration the fact that the Applicants have cooperated with the investigation in pursuance of the interim orders and there is no violation of any conditions reported by the prosecution, I am inclined to protect the Applicants by confirming the interim orders. The apprehension of the learned APP that the Applicant may flee from the ends of justice can be taken care of by imposing stringent conditions. Hence the following order :

ORDER

- (i) Both the applications are allowed.
- (ii) The interim orders dated 18.07.2025 and 04.08.2025 are hereby confirmed.
- (iii) The Applicants are directed not to tamper with the evidence and shall not threaten the complainant or the witnesses.

(iv) The Applicants shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(v) The Applicants shall submit their Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.

(vi) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the Applicants on that ground.

(vii) With the aforesaid directions, the applications are disposed of.

MEHROZ K. PATHAN
JUDGE

NATEEB..