

Order below Exh.4
(Passed on 17.10. 2022)

1. This is an application for grant of ad- interim pre arrest bail. Heard learned Advocate Mr. P.S.Wakode, for the applicants/accused. Gone through the papers. It appears that one Preeti Yeshwant Wakode gave report with police station Shegaon City against the applicants/accused, on the basis of which Crime No.486/2022 is registered for the offence punishable u/s 306, 506 r/w sec.34 of IPC. It is submitted on behalf of the applicants/accused that the applicants/accused are falsely implicated in the present crime. They are not connected with the alleged offence. It is further submitted that as per the FIR it is alleged that applicant No.1 is the proprietor of Sai Gajanan Petrol Pump Shegaon and running it since last 17 years and deceased Yeshwant Wakode was working with said Petrol Pump which is situated on Balapur road Shegaon. The deceased had borrowed hand-loan of Rs.40,000/- from the applicant No.1 and on 13.9.2022 the applicants/accused went to the house of deceased and demanded the loan amount to the deceased and also threatened to kill him and on 11.10.22 behind the Honda Show-room which is situated at Khamgaon road, Shegaon, the deceased consumed poison and died. The allegations in the FIR are totally false and there is no connection with the applicants/accused. The applicant No.2 is the wife of applicant No.1 and she has no occasion to go at the said petrol pump or to talk with the deceased. It is further submitted that the deceased was the heavy drinker and for fulfilling his bad vices he had borrowed

money from various persons and hence under the influence of liquor he consumed poison. The applicants/accused are good reputation in the society, they are apprehension in the mind that they would be arrested any time in the present crime, on the false report lodged by the informant. The applicants/accused are ready to abide by all the terms and conditions of bail. The applicants/accused are ready to co-operate in the investigation. Hence prayed for grant the interim protection to the applicants/accused.

The learned advocate for applicants/accused relied upon the case law in 2021(3) AIR Bom.R (Cri) 39 : 2022 ALL MR (Cri) 589, Asha Madhukar Kurpe and others V/s. The State of Maharashtra.

Perused the case law.

2. Considering the above facts and circumstances, I found that the learned Advocate for the applicants/accused submitted that the applicants/accused are ready to co-operate in the investigation, hence prima facie it is necessary to grant the interim protection to the applicants/accused till filing of the say by the prosecution. In result, I pass following order :-

ORDER

1] Application Exh.4 is allowed.

2] In the event of arrest of the applicants namely Anand s/o Gopalrao Ingole and Sau. Shobha w/o Anand Ingole, in the Crime No.486/2022 registered with Police Station Shegaon City on the complaint lodged by informant Preeti Yeshwant Wakode for the offence punishable u/s 306, 506 r/w sec.34 of IPC against the applicants, they be released on ad-interim pre arrest bail on their executing PR bond of Rs.25,000/- (Rs.Twenty Five Thousand Only) each with solvent surety/sureties in the like amount each on conditions that :-

- [i] The applicants/accused shall remain present on every Monday and Friday between 11.00 a.m. to 2.00 p.m. at the concerned police station and shall co-operate the I.O. in investigation and thereafter, they shall make themselves available for interrogation as and when asked by the I.O. until further orders.
- [ii] The applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade the witness from disclosing such facts to the Court or to any Police Officer.
- [iii] Issue notice to the concerned police station. Returnable on 20.10.2022 to show cause as to why the anticipatory bail should not be confirmed to the applicant.
- [3] Inform concern police station accordingly.

Date : 17.10.2022

(A.S.Wairagade)
Addl. Sessions Judge,
Khamgaon, Dist. Buldana.

Certificate

I certify that this order PDF uploaded is a true and correct copy of original signed order.

Name of Steno : Mrs. Nishat Anjum Mohd. Rafique.

Name of Court : Addl. Sessions Judge, Khamgaon.