



A.B.A. No. 267/2022
Prakash + 1 X State
MHBU11-000808-2022

ORDER BELOW EXH. 04

1. The application applicants (1) Prakash Bhaurao Gorade, (2) Dipak Panjabrao Jadhav, have moved the present application for grant of anticipatory ad-interim bail under Section 438 of Cr.P.C., as they apprehends their arrest in Crime No. 292/2022 registered with Dhamangaon Badhe Police Station for the offence under Sections 304-B, 504 read with Section 34 of Indian Penal Code.
2. Heard learned Advocate Shri. G.D. Patil for applicants. He submits that, present applicant No. 1 is mediator of marriage between Sagar and deceased Gayatri and and applicant No. 2 is cousin brother of husband of deceased. He further submits that, both applicants used to reside separately, they never resided with deceased and her husband. He further submits that, all the allegations in respect of demand of dowry and harassment on that count are vague and false. He further submits that, informant falsely implicated

name of all the relatives of accused No. 1 and mediator in this offence. The allegations of demand of dowry are false. He further submits that, in fact deceased has no desire to cohabit with accused Sagar as her marriage was arranged by his father against her wish and therefore, she has committed suicide. He further submits that, false case is registered under depression and anger due to the loss of daughter. He further submits that, if applicants arrested in false case they will humiliated in the eyes of society and suffer irreparable loss. He prayed for ad-interim anticipatory bail.

3. Perused the application and documents attached with application. After perusal of the application and documents attached with application, in the background of submissions of learned advocate for applicants/accused, probability of false implication can not be ruled out. As per submission, both applicants used to reside in separate houses. They never resided with deceased and her husband. Prima

facie custodial interrogation of present applicants/accused are not necessary for the purpose of investigation. Hence, I am of the view that, applicants are entitled for ad-interim protection till filing say of I.O. Hence, in result I proceed to pass following order :-

ORDER

1. The application Exh. 4 is allowed.
2. Pending main application till filing of say, in the event of arrest of applicants (1) Prakash Bhaurao Gorade, (2) Dipak Panjabrao Jadhav, by Dhamangaon Badhe Police Station in Crime No. 292/2022 which is registered under Sections 304-B and 504 read with Section 34 of Indian Penal Code, applicants be released on executing their P.R. Bond of Rs. 30,000/- (In words Rupees Thirty Thousand Only) each with surety in like amount.
3. Issue notice to A.P.P. and Investigating Officer as to why the relief as prayed shall not be granted. Returnable on 16/11/2022.
4. In the mean time applicants are directed to attend

concerned police station on every Thursday in between 11.00 a.m to 1.00 p.m. and co-operate with investigation.

5. The applicants shall not enter within the jurisdiction of village Rahera, Tal. Motala.

Malkapur.
Date - 09/11/2022

(Prakash R. Kadam)
Additional Sessions Judge,
Malkapur.

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C.N.R. No. MHBU11-000808-2022 ... 5 ...

A.B.A. No. 267/2022
Prakash + 1 X State
ORDER BELOW EXH. 4

CERTIFICATE

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

Name of Court : Additional Sessions Judge, Malkapur.

Name of Steno. : Miss H.D. Chaudhari.