

**Order Below Exh.1 in Cri.Bail Appln.No.206/2022**  
Rupesh Keshav Pradhan Vs. State.

CNR No.MHNS010005902022

**Heard:** Ld. Adv. Mr. A. R. Rayate for the applicant/  
accused.  
Ld. A.P.P. Smt. S. S. Sangle for the State.

1. This is an application under section 439 of the Code of Criminal Procedure in Crime No.21/2022 registered at Police station, Abhona, Dist-Nashik for the offence punishable under sections 306, of the Indian Penal Code, 1860. It is the case of prosecution in brief that the accused/applicant is the husband of the deceased who inflicted physical and mental cruelty on her due to which she committed suicide. He used to be suspicious about the character and used to call names to her parents. He used to routinely assault her physically. The victim had also narrated her ordeal to her parents on a number of occasions and had also told them that she would be constrained to end her life if the applicant does not stop harassing her.

2. Ld. Adv. for the applicant has submitted that not a single N.C. or complaint was filed against the applicant during the entire married life of the deceased. They have two children and there was nothing wrong with the marriage or the conduct of the applicant. The FIR is filed by the family member of the deceased in order to make him a scape-goat. Applicant is ready to abide by the terms and conditions imposed by the court. He should therefore be released on bail.

3. Per contra, Ld. A.P.P. has opposed the bail application on the ground that there is *prima-facie* case against the applicant. Investigation is in progress and charge-sheet is yet to be filed. If the applicant is released on bail, there are chances of his tampering with prosecution witnesses.

4. Perusal of the case diary reveals *prima-facie* case against the applicant. There are categoric and specific allegations against the applicant. Investigation is in progress and charge-sheet is yet to be filed. Therefore, apprehension of the Ld. A.P.P. that if the applicant is released on bail, there are chances of his tampering with prosecution witnesses is well-founded. In view of the forgoing discussion, I am inclined to reject the application.

**ORDER**

Application is hereby rejected.

Nashik  
02/03/2022

Mridula Bhatia  
District Judge-2 and  
Addl. Sessions Judge,  
Nashik.