

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 4033 OF 2015.

NADAN S/O ABDUL SHAIKH.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Irfan D.Maniyar, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 13th August, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No. 23/2015 registered with Police Station, Kaij, Taluka – Kaij, District Beed for the offences punishable under Section/s. 498(A), 302, 307 read with 34 of the Indian Penal Code.

[2] Heard Mr. Irfan D.Maniyar, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State of Maharashtra.

[3] Investigation is over and the Investigating Officer has already filed the challan before the court of law. Case of the prosecution is based on dying declaration of deceased Yasmin. Her

dying declaration was recorded in the Government Hospital, Ambajogai by the Police. According to the dying declaration, the role of pouring kerosene and setting her ablaze is ascribed by the deceased against her mother-in-law. No overt act is attributed against the present Applicant, so far as burn injuries are concerned.

[3] In that view of the matter, present Application deserves to be considered sympathetically. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant - NADAN S/O ABDUL SHAIKH shall be released on regular bail on he executing P.R. Bond of Rs. 5,000/- [Rs. Five Thousand.] with one solvent surety in the like amount, in connection with CR No. 23/2015 registered with Police Station, Kaij, Taluka – Kaij, District Beed for the offences punishable under Section/s. 498(A), 302, 307 read with 34 of the Indian Penal Code.
- (iii) Bail before trial court.
- (iv) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)