

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

CRIMINAL APPLICATION NO. 572 OF 2015

Appasaheb s/o Machhindra Thorat,
Age: 36 years, Occ: Agri.,
R/o. Loni Vyankanath, Tq. Shrigonda,
Dist. Ahmednagar.
At present : Nehar Mala, Kolgaon,
Tq. Shrigonda, Dist. Ahmednagar.

...Applicant

versus

The State of Maharashtra.

...Respondent

.....
Mr. Vilas P. Sawant, Advocate for applicant.
Mr. S.P. Daund, A.P.P. for respondent.
.....

CORAM : M.T. JOSHI, J.

DATE : 12TH FEBRUARY, 2015

ORAL ORDER :

. Heard both sides.

2] Present applicant, who is arrested in Crime No. I.103/2014 registered with Belwandi Police Station, Taluka Shrigonda, District Ahmednagar for the offence punishable under Section 307, 498(A), 342, 323 of Indian Penal Code, is praying for release on bail.

3] His earlier application bearing Criminal Application No. 5765 of 2014 was allowed to be withdrawn by this Court on 14/11/2014 with liberty to file

the application after charge sheet is filed in the Sessions Court. The Sessions Court has now rejected the application, therefore present application.

4) The dying declaration of the wife of present applicant which is now accepted as FIR which would show that present applicant always used to quarrel with the complainant under the influence of liquor and also by making demand of money. On the day of incident, he tried to electrocute the complainant, however, due to failure of electricity, she was saved. Therefore, he administered her poison, which was in the house under the brand name Grycil and put the latch to the door and fled away. Therefore, offence came to be registered.

5) C. A. reports, however shows that no poison was detected in the stomach wash of the complainant.

6) Considering the fact that, the present applicant is behind the bar since 29/09/2014 and that now charge sheet is filed and upon hearing both the sides, I am of the view that, the applicant be released on bail.

7] Hence, the following order :-

a] Criminal Application is allowed;

b] The applicant be released on bail in Crime No. I.103 of 2014 registered with Belwandi Police Station, Taluka Shrigonda, District Ahmednagar for the offence punishable under Section 307, 498(A), 342,

323 of Indian Penal Code, on his executing P. R. Bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount;

c) The applicant shall not attempt to influence the prosecution witnesses in any manner.

[M.T. JOSHI, J.]

Tupe/12.02.15