

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

CRIMINAL APPLICATION NO. 4838 OF 2015

Nagnath Baburao Solapure ...Applicant

versus

State of Maharashtra ...Respondent

.....
Mr. Joydeep Chatterji, Advocate for applicant
Mrs. B. B. Gunjal, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 1st OCTOBER, 2015

ORAL ORDER :

The applicant, who is charged with an offence punishable under Sections 302, 498(A) read with 34 of the Indian Penal Code, was arrested on 30/01/2015.

2. After the investigation was completed, the chargesheet is already filed in the matter.

3. The nature of evidence available against the present applicant is in the form of dying declaration dated 23/01/2015 registered by the Executive Magistrate, so also in the form of statement given to police officer on the same day.

4. In the said dying declaration, she has not attributed specific role to present applicant qua setting her on fire. The other piece of evidence available on record is statement of her daughter Prerna, who also does not attribute specific role to present applicant.

5. The other aspect of which this Court must take note, is completion of investigation and age of the applicant.

6. In view of above, in my opinion, it will be appropriate to order the release of the applicant on bail. Hence I pass the following order : -

The applicant be released on bail upon furnishing P.R. Bond of Rs.10000/- (Rs. Ten thousand) with one surety in the like amount, in connection with Crime No. 10/2015 registered with Udgir (Rural) Police Station, Dist. Latur for the offence punishable under Sections 302, 498(A) read with 34 of the Indian Penal Code.

7. The Criminal Application stands allowed.

[N.W. SAMBRE, J.]