

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

CRIMINAL APPLICATION NO. 6067 OF 2014 IN
CRIMINAL APPEAL NO. 9 OF 2014

Nitin s/o Narayan Sawant .. APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Shri V.R. Dhorde, Advocate for applicant
Shri D.V. Tele, A.P.P. for respondent/ State
.....

CORAM: A.I.S. CHEEMA, J.

DATED: 8th January, 2015.

ORAL ORDER :

1. Heard counsel for the applicant and learned A.P.P. for the respondent/ State. Perused record. Learned counsel for applicant has taken me through various portions of the impugned judgment to argue that the reasonings recorded by the trial Court are not maintainable. According to the learned counsel, the evidence which has been accepted for convicting the accused is not reliable. The

dying declaration also was doubtful. Learned A.P.P. submitted that, the dying declaration, which was recorded itself shows abetment by the accused for the wife to commit suicide.

2. The applicant (original accused) even in the trial Court, was in custody. Now he has been convicted and there is judgment holding him liable for the offence under Sections 498-A and 306 of the Indian Penal Code. The arguments of the learned counsel, raising doubts regarding the reasonings of the trial Court for accepting the evidence will have to be considered at the time of appeal. Looking to the evidence brought before trial Court and its judgment, at present, case to grant bail is not made out. I do not find that this is a fit case to grant bail. Criminal Application is rejected.

(A.I.S. CHEEMA, J.)

fmp/cr207.14