

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

A.B.APPLICATION NO.491 OF 2015

Bhivaji Soma Daundkar	..Applicant
-Versus-	
The State of Maharashtra	..Respondent

Mr.Vikas Shivarkar for applicant
Mr.J.H.Ramugade, APP for State.

CORAM : MRIDULA BHATKAR, J.

DATE : 7th April 2015.

P.C.

1] The applicant has moved this application for pre-arrest bail. The applicant is father in law of the deceased, who is facing charges under section 392, 323, 504 in C.R.No.61 of 2015 at Khed police station, Dist. Pune. It is the case of the prosecution that Mrs.Shakuntala, the deceased was married and out of the wedlock one girl child is born. However, the deceased was harassed through out her married life by her father in law and her husband. Both used come home drunk and abuse the deceased. The applicant used to quarrel with the deceased on trivial issues. On 24th April 2015, in the morning the applicant accused came home drunk and started

abusing the deceased. He, according to the case of the prosecution, took kerosene and poured on the deceased and then her husband set the deceased on fire. The deceased sustained burn injuries and succumbed to injuries. The case of the applicant is that he did not ignite the match stick and he himself has also received burn injuries to the extent of 20%. He tried to extinguish the fire and he is at present taking treatment in the hospital and, therefore, he be given pre-arrest bail.

2] The prosecution opposes this application and submitted that this is a case of murder, where the deceased has given dying declaration. Perused the F.I.R. and dying declaration given by the deceased, which discloses prima facie direct role played by the applicant accused. In this view of the matter, no pre-arrest bail. Application rejected.

(Mridula Bhatkar, J.)