

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1675 OF 2015**

Manohar Rama Dhum	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. R. M. Khairnar I/b Mr. H. E. Palwe for the Applicant

Ms. S. S. Kaushik, A.P.P for the Respondent-State

Mr. J. D. Sonawane, PSI from Surgana Police Station is present

CORAM : REVATI MOHITE DERE, J.
MONDAY, 21st SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-62 of 2014 registered with the Surgana Police Station, for the alleged offence punishable under Section 306 of the Indian Penal Code.

3. The applicant is the husband of the deceased and the complainant is the father of the deceased. The complainant has alleged in

the complaint lodged on 22nd July, 2015, that his daughter was married to the applicant in the year 2006 and that the couple had two issues from the said wedlock. According to the complainant, his daughter had disclosed to him that the applicant was addicted to liquor and would frequently come home drunk and assault her. He has also alleged that the deceased had disclosed to him, that the applicant would demand money from her and assault her if she refused to give the same. He has stated that on 18th July, 2014, he received a call from his son informing him that his daughter Hausabai had poured kerosene on her person and had set herself on fire and that she was admitted in the Nashik Hospital. On 18th July, 2014, the statement of Hausabai came to be recorded in the presence of the Medical Officer, Nashik by a Police Officer. Hausabai expired on 22nd July, 2014, pursuant to which the aforesaid complaint came to be lodged.

4. Learned Counsel for the applicant states that a perusal of the dying declaration of Hausabai shows that there was some quarrel/altercation between her and the applicant, pursuant to which, the applicant left home. Thereafter, the deceased Hausabai being upset over the same, poured kerosene on herself and set herself on fire.

5. Perused the papers. The applicant and the deceased were married in 2006 and the incident has taken place on 18th July, 2014. It appears that some altercation took place between the applicant and the deceased, in which the applicant slapped the deceased. Admittedly, the applicant was not present in the house when the applicant poured kerosene on herself and set herself on fire. The applicant is in custody since his arrest on 23rd July, 2014. Investigation is complete and charge-sheet has been filed.

6. Considering the material on record and the fact that investigation is complete and charge-sheet is filed, the applicant deserves to be enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 11:00 a.m. to 12:00 noon till the conclusion of the trial;

(iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial;

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
order.
