

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

CRIMINAL APPLICATION (BA) NO. 804/2015

(Rajesh Hemchand Borkar vs. State of Maharashtra)

Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

Mr. G.S.Kawale, Advocate for the applicant
 Mr.S.S.Doifode, A.P.P. for respondent-State

CORAM : A.B. CHAUDHARI, J.

DATED : 17th November, 2015.

Heard the learned counsel for the rival
 parties. Seen the record.

The learned Additional Public Prosecutor has pointed out that there is an oral dying declaration made to Kishor Undirwade, the brother of the deceased. I have perused his statement which was recorded on 13.3.2012 as against the incident dated 25.2.2012 when the deceased was admitted to the hospital and he had gone to the hospital immediately after she was admitted. Then, I have seen the dying declaration that is said to have been recorded by the Resident Medical Officer, on duty. Perused the same. It shows that the deceased had stated that she did not know how she caught fire but she attempted to douse the fire by means of water, by running towards the bathroom. In view of the

above circumstances and in the wake of the fact that the applicant is in jail since 26th February 2012 i.e. almost for four years, I think the applicant should be released on bail, particularly when it appears that he is a lawyer by profession, practicing at District Court, Nagpur. Hence the following order:

ORDER.

- (i) Criminal Application No. 804/2015 is allowed.
- (ii) The applicant be released on bail, upon furnishing a personal bond in the sum of Rs.20,000/- (rupees twenty thousand) with one surety in the like amount.

JUDGE

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