

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

**CRIMINAL APPLICATION NO. 2473 OF 2016
IN
CRIMINAL APPEAL NO. 311 OF 2016**

Swati Parmeshwar Gaikwad ...APPLICANT

versus

The State of Maharashtra ...RESPONDENT

.....
Mr. Gajanan Kadam, Advocate for applicant
Mr. P. G. Borade, APP for Respondent State
.....

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 7th DECEMBER, 2016.

Order :-

1. Heard learned counsel for the parties.
2. Perused the dying declarations of the deceased at Exhibits-21 and 23. In both the dying declarations not only the applicant/appellant's is named but specific overt act is attributed to her. Versions in both the dying declarations corroborate each other coupled with other evidence brought on record by the prosecution. No case is made out for granting bail. Hence, we do not wish to elaborate on the evidence at this stage since appeal of the applicant is pending.
3. In that view of the matter, the application for bail stands rejected.
4. The Registry of this Court shall send original Record and Proceedings to the Registry of the court of Sessions Judge, Omerga,

District Osmanabad. Upon receiving the original record and proceedings by the Registry of the court of Sessions Judge, Omerga, District Osmanabad, the Registry of concerned Court shall prepare the paper-book and send it back along with original record and proceedings, as expeditiously as possible, and preferably within three months from receipt of the original record and proceedings.

5. Upon receiving the paper-book and original record and proceedings, liberty to mention for early hearing of the appeal.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S.S. SHINDE, J.]

MTK