

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

CRIMINAL APPLICATION (BA) NO.178/2016

Sapna wd/o Wasudeo Pande

..Versus..

The State of Maharashtra, through P.S.O., P.S. Gadchiroli, Distt. Gadchiroli

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 12.4.2016

Heard Shri R.M. Daga, advocate for the applicant and Shri A.D. Sonak, A.P.P. for the non-applicant.

The applicant is arrested on 27th August, 2015 in crime registered against her initially for the offence punishable under Section 307, 504 read with Section 34 of the Indian Penal Code and subsequently the offence punishable under Section 302 of the Indian Penal Code is added.

The application is opposed by the non-applicant on the ground that the dying declaration of victim shows involvement of applicant in the offence.

Shri R.M. Daga, advocate for the applicant has pointed out that there is no certificate of Medical Officer at the foot of the dying declaration showing that the victim was fit during the recording of the statement.

The charge-sheet is filed on 14th October, 2015. The non-applicant has not been able to show that the custody of applicant is required for further investigation. Considering the facts

on the record and that the applicant is a lady, in my view, the applicant is entitled to be released on bail.

Hence, the following order:

The applicant having been arrested in Crime No.62/2015 registered by the non-applicant, she be released on bail on furnishing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand Only) and two solvent sureties in the like amount.

The application is **allowed** in the above terms.

CRIMINAL APPLICATION (APPP) NO.333/2016

In view of disposal of main application, this application does not survive and is **disposed of** accordingly.

JUDGE

Tambaskar.