

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

CRIMINAL APPLICATION (BA) NO.220/2016

Shilpa Awadhutrao Mohod

..Versus..

The State of Maharashtra, through its P.S.O. Police Station Nandgaon (Kh.), Distt.
Amravati (M.S.)

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 : 29.3.2016

Heard Shri Abdul Subhan, advocate for the applicant and
Shri A.D. Sonak, A.P.P. for the non-applicant.

The applicant is arrested on 16th November, 2015 in crime
registered by the non-applicant under Section 307 and 302 of the
Indian Penal Code.

The accusations against the applicant are that on 15th
November, 2015 at 11 a.m. the applicant had thrown chilly powder
in the eyes of victim, poured kerosene on his body and set him
ablaze. The victim was hospitalized and then he succumbed to the
burn injuries on 16th November, 2015.

The prosecution relies on the alleged dying declaration and
statements of two eye witnesses to oppose the bail application.

With the assistance of learned advocate for the applicant and learned A.P.P. I have examined the documents placed on the record of the application, copy of charge-sheet, copy of say given by the prosecution before the Sessions Court.

It is undisputed that the investigation is complete and charge-sheet is filed. The applicant is a lady prosecuting her studies.

Considering the facts on the record and as the non-applicant has not been able to demonstrate that the custody of applicant is required for further investigation, in my view, the applicant is entitled to be released on bail.

Hence, the following order:

- (i) The applicant having been arrested in Crime No.186/2015 registered by the non-applicant, she be released on bail on furnishing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand Only) and two solvent sureties in the like amount.
- (ii) The applicant shall surrender her passport to the Investigating Officer within one week.

If the passport Authorities have not issued passport in the name of applicant, the applicant shall submit an affidavit to that effect to the Investigating Officer.

- (iii) The applicant shall attend the sessions trial regularly unless granted exemption by the Sessions Court.
- (iv) The application is **allowed** in the above terms.

CRIMINAL APPLICATION (APPP) NO.389/2016.

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

JUDGE

Tambaskar.