

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

Criminal Application [BA] No.497 of 2016

(Abdul Ajit s/o Abdul Wahid

vs.

State of Maharashtra, through its P.S.O. Badnera, District Amravati)

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

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Court's or Judge's Orders

Shri R.M. Daga, Advocate for the Applicant.

Mrs. Mayuri Deshmukh, A.P.P. for the Non-Applicant/State.

CORAM : S.B. SHUKRE, J.

DATE : 5th JULY, 2016.

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

The learned A.P.P. has opposed this application.

Upon consideration of the facts and circumstances of
this case, particularly the fact that in the first dying declaration
dated 31/12/2015, which appears to have been recorded within
four to five hours of the incident, the deceased has not blamed
the applicant and has blamed it on the accidental blasting of the
stove and also the fact that this applicant admittedly tried to
extinguish the fire of the deceased, in which attempt he suffered
burn injuries too, I am of the view that the applicant would be
entitled to be released on bail. This is also for the reason that
now the custodial interrogation of the applicant is no longer
required. So, the following order is passed.

1. The application is allowed.
2. It is directed that the applicant be released on bail on his furnishing P.R. Bond in the sum of Rs.20,000/- together with one solvent surety in the like sum on the conditions that the applicant shall attend the police station as and when required and shall not tamper with the prosecution witnesses.
3. The application is disposed of as such.

JUDGE

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