

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

922 CRIMINAL APPLICATION NO. 1026 OF 2017

MOHAN S/O RAJU DHOLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. C.R. Deshpande
APP for Respondent : Mr. K.N. Lokhande
...

CORAM : T.V. NALAWADE, J.
DATED : March 22, 2017.

ORDER :

1. Leave to correct the name of applicant is granted to make the name as 'Mohan' instead of 'Manoj'.
2. The application is filed for bail. Both the sides are heard.
3. The crime is registered on the basis of report given by mother of the deceased. She is widow. She has two daughters and two sons. The deceased was receiving education in 12th standard and she has not completed 18 years of age. The deceased poured kerosene on her person and set fire to herself on 24.1.2017 after 3.00 p.m. When the complainant made inquiry, she disclosed that she had an affair with the present applicant and it was going on for about three years, but on that day, the applicant refused to marry with her and further, he gave threat to defame her entire family if she discloses affair to any

person. She felt that the present applicant will defame her family and due to that the entire family will be required to commit suicide and so, she took such step. Dying declaration was recorded in the hospital on the same day by the Executive Magistrate and in that, she disclosed that as the present applicant refused to marry with her, she set fire to herself by pouring kerosene on her person and nothing else was disclosed by the deceased.

4. The learned counsel for the applicant submitted that the applicant is F.Y.B.A. student and he will not be able to face the examination if he is kept behind the bars. He is behind the bars since 31.1.2017. In view of the aforesaid material, this Court holds that it is not desirable to keep the applicant behind bars till the disposal of the case which may be filed against him. He is aged about 19 years and he is receiving education.

5. So, the application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs. 25,000/-. He is not to tamper with the prosecution witnesses. He is not to commit similar offence. He may enter Dhule city only to attend the examination and to attend the case, if the case is filed against him.

[T.V. NALAWADE, J.]