

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 91 OF 2017
IN
CRIMINAL BAIL APPLICATION NO. 205 OF 2016**

Kamalkant Maheshchand Saini. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Ms. Daksha M. Shah, advocate for Applicant.

Mr. M.G. Patil, APP for State.

**CORAM : SMT. SADHANA S. JADHAV, J
DATE : FEBRUARY 3, 2017**

P.C.:

1 Heard the learned Counsel for the applicant and the learned
APP for State.

2 This is an application seeking temporary bail to enable the
applicant to attend the marriage of his sister(cousin), which is
scheduled on 6/2/2017. The marriage ceremony is to be held at

Rajasthan. The learned Counsel submits that the applicant be enlarged on bail for just one day and that he would take private vehicle and travel to Rajasthan.

3 The allegations against the applicant is that he was carrying the arms and that he had shot on the sister of the complainant at her neck. She had sustained injuries, which was sufficient in ordinary course of nature to cause death. In these circumstances, it would not be possible to grant temporary bail to the applicant.

4 The applicant is original resident of Rajasthan and that the learned APP apprehends that he may not return and therefore, would not be available at the time of trial. Although the learned Counsel has submitted that the applicant would bear the cost of the escort to enable the applicant to attend marriage, the apprehension of the learned APP needs to be taken into consideration that it would not be

safe to send the police with the applicant to Rajasthan. Hence, the application stands rejected and disposed of accordingly.

5 Criminal Bail Application No. 205 of 2017 be listed for admission on 27/2/2017.

(SMT. SADHANA S. JADHAV, J)