

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 627 OF 2017

Anil Anandrao Bichkar

..... Applicant

VERSUS

The State of Maharashtra

..... Respondent

Mr.Vaibhav Gaikwad for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State.

CORAM : T.V.NALAWADE, J.

DATE : 11th AUGUST, 2017

P.C.

The application is filed for bail. Both the sides are heard.

2. This court has perused the papers of investigation. The papers show that the incident in question took place on 16th January, 2016. The first dying declaration was recorded on 16th January, 2016 and the deceased disclosed that her clothes had caught fire accidentally in the matrimonial house. Some records like admission paper in Sanjivani Hospital, Satara is produced. Learned counsel for the applicant makes a statement that this document was collected by the police and it is filed with charge-sheet. This document shows that the deceased was admitted in the hospital by her brother and history of accidental burns was given by the him.

4. It appears that the deceased was shifted from Satara to Sangli on 22nd January, 2016 and thereafter the second time dying declaration was recorded in which she implicated the present applicant, husband. Thus there are inconsistency in dying declaration on record. The applicant is behind bars since 25th January, 2016.

There is no possibility of tampering of the prosecution witnesses in the aforesaid circumstances. So the application is allowed. The applicant is to be released on bail on his furnishing P.B. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety of the like amount. The applicant is not to tamper with prosecution witnesses. He is not to commit similar offences.

(T.V.NALAWADE, J.)