

nsc.

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

ANTICIPATORY BAIL APPLICATION NO.721 OF 2017

- | | | |
|----|--------------------------|---------------|
| 1. | Ashabai Jitin More | |
| 2. | Joyti Jitin More | ...Applicants |
| | Versus | |
| | The State of Maharashtra | ...Respondent |

Mr.M.N.Sandhyanshiv, for the Applicants

Mr.Prashant Jadhav, A.P.P for the Respondent-State

API – S.U.Dunjahu, Malegaon Camp Police Station, Nashik (Rural).

CORAM : REVATI MOHITE DERE, J.

DATE : 24th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. I-30 of 2017 registered with the Camp Police Station, Malegaon, Nashik, for the alleged offences punishable under Sections 302, 498(A), 307, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. The incident in question has taken place on 1st April, 2017 at about 2.00 p.m. According to the complainant – Ujwala Ghoderao, who is the mother of deceased – Priyanka, the applicants were demanding money from the deceased for purchasing an auto-rickshaw. She has stated that the applicant No.2 poured kerosene on Priyanka, pursuant to which, Priyanka's husband set her ablaze. The applicant no.1 is stated to have been present at the spot and is alleged to have instigated the accused not to leave her alive. The said statement of the complainant is consistent with the dying declaration of deceased – Priyanka More, which is recorded on the same day i.e. on 1st April, 2017.

4. Considering the nature of allegations as against the applicants, this is not a fit case to grant pre-arrest bail to the applicants.

5. Hence, the Application for pre-arrest bail is rejected and disposed of as such.

6. It is made clear that the observations made herein are *prima facie* for deciding the aforesaid application and if an application for regular bail is filed, the same shall be considered on its own merits, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)