

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO.528/2016**

Devanand S/o Deorao Ninghot

..Vs..

State of Maharashtra, through P.S.O., P.S. Murtizapur, Tq. Murtizapur, Distt.  
Akola (M.S.)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders  
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**CORAM : Z.A.HAQ, J.**

**DATE : 5.6.2017.**

This matter was called out twice in the morning session, however, there was no appearance on behalf of the applicant and, therefore, it was kept back.

In the afternoon session when the matter is called out Shri Anand Thotange, Advocate appeared and submitted that he is instructed to argue on behalf of the applicant and sought a weeks' time. This application is pending since August, 2016, therefore, I have refused to consider the request for adjournment.

Heard Shri M.J. Khan, learned A.P.P. for the non-applicant.

The applicant is arrested on 11<sup>th</sup> October, 2015 in crime registered against him for the offence punishable under Section 307, 302 and 504 of the Indian Penal Code. The accusations against the applicant are that he is addicted to liquor and under the influence of liquor used to ill-treat his wife and on 11<sup>th</sup> October, 2015 (after about 15 years of marriage) he had severely

beaten his wife and then because of the resistance from his wife he poured kerosene on her person and set her ablaze. The applicant's wife Sukanya died on 15<sup>th</sup> October, 2015.

The learned A.P.P. has submitted that the matter before Sessions Court is kept on 13<sup>th</sup> June, 2017 for finalizing the trial programme. Accepting the statement made on behalf of the non-applicant and considering the facts of the case, I am not inclined to consider the prayer of the applicant for directing the non-applicant to release him on bail. The application is **dismissed**, however, with directions to the Sessions Court to dispose of the trial till 30<sup>th</sup> September, 2017.

If the trial is not concluded till 30<sup>th</sup> December, 2017, the applicant will be at liberty to reiterate his request, if so advised.

JUDGE