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

CRIMINAL BAIL APPLICATION NO.65 OF 2018

Dasma Davji Ozare	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Gaurav Parkar, for the Applicant.

Mr.M.G.Patil, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 5th MARCH, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-16 of 2017 registered with the Talasari Police Station, Palghar, for the alleged offence punishable under Section 307 of the Indian Penal Code.
3. Perused the charge-sheet. According to the First Informant-Suvarna Dasma Ozare, daughter of the applicant, the incident took place on

6th February, 2017, at about 5.30 p.m. She has stated that when her mother returned from her brother's house, the applicant questioned her and asked her why she had gone without his permission and started abusing her in derogatory language. She has further stated that when her mother asked the applicant not to abuse her, the applicant picked up a koyta and assaulted her mother on her neck, as a result of which, she i.e. the applicant's wife, suffered one grievous injury on her neck and 2 simple injuries on her cheek and finger. There are eye-witnesses to the incident. If the applicant is enlarged on bail, the possibility of the applicant tampering with the witnesses cannot be ruled out, since the injured is his wife and the eye-witnesses, his children. Similarly, the possibility of the applicant again committing a similar offence also cannot be ruled out.

4. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail.

5. Accordingly, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited.

6. It is made clear that the observations made herein are *prima facie* for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)