

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1894 OF 2018

Mr. Munshiraza N. Bagwan and ors.

..Applicants.

vs.

The State of Maharashtra

..Respondent.

Mr. Mohd. Arshad Nehal for the Applicant.

Mr. Amit Palkar, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 21st November, 2018.

P.C.

1. By a reasoned Order dated 18.9.2018 the applicants were granted interim relief.
2. Heard the learned counsel appearing for the applicants and the learned APP. Perused the record.
3. The applicant No.1 is the father-in-law, applicant No.2 is the mother-in-law and applicant No.3 is sister-in-law of the deceased Smt. Rubina Bagwan. The dying declaration of Smt. Rubina Bagwan recorded by the police on 14.10.2016 i.e. immediately after the incident exonerates the applicants and mentions a case of accidental fire. In view thereof, the applicant deserves to be protected by pre arrest bail.
4. The interim relief granted by Order 18.9.2018 is hereby confirmed

however,the condition to report to the Investigating Officer is waived.

5. It is to be noted here that, the observations made by this Court in Order dated 18.9.2018 and today's Order are prima facie in nature and the Trial Court shall not get influenced of the same at the time of trial if the police submits charge sheet in the matter.

(A.S. GADKARI, J.)