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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2468 OF 2018

Hira Devu Chavan ..Applicant.

V/s.

State of Maharashtra ..Respondent.

Mr.Satyavrat Joshi for the applicant.

Mr. N.B. Patil, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 10, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.253/2018 for offence punishable under section 302 and 323 read with 34 of the Indian Penal Code registered with Hinjawai police station, Pune, the applicant is seeking regular bail, in which he is charge-sheeted.

3. The applicant herein is the husband of the victim's sister.

4. The cause of death certified by the doctor is as “*Head Injury in 7mths ANC case*’.
5. From the contents of the F.I.R. and other evidence on record, it appears that there was no criminal intention on the part of the applicant to commit the murder punishable under section 302 of the Indian Penal Code.
6. In my opinion, in the aforesaid background i.e. cause of death, it will be premature at this stage to appreciate and record findings about criminal intention of the applicant to commit crime in question. There is sufficient evidence to infer *prima facie* involvement of the applicant. As such, the application is rejected.

(NITIN W. SAMBRE, J.)