

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

CRIMINAL BAIL APPLICATION NO. 3251 OF 2018

Salim Noor Mohd. Shaikh

...Applicant

Versus

State of Maharashtra

...Respondent

Ms.Trupti M. Khamkar for the applicant.

Mrs. A. A. Takalkar, APP for the respondent – State.

Mr.Pravin S. Kuyeskar, P.I. Kalachowky Police Station present.

CORAM : PRAKASH D. NAIK, J.

DATE : 1st FEBRUARY 2019

P.C. :

1. The applicant is seeking bail in CR No.110 of 2016 registered with Nehrunagar Polilce Station, Mumbai for offence punishable under Section 302 of the Indian Penal Code, 1860. The applicant was arrested on 12th June, 2016.

2. The case of the prosecution is that on 24th May, 2016, the deceased left her house for office at about 9.50 am. The complainant, the father of the deceased came to know that she has been stabbed with knife. She was taken to hospital at Chembur and while taking treatment, she was declared dead.

3. There is no eye witness to the incident. There is no cogent evidence to establish that the applicant is involved in commission of crime. The prosecution is, however, relied upon the statement of witness Pranik Dagadu Revale. His statement was recorded on 10th June, 2016. In the said statement, he has stated that on the day of incident he had seen one person passing from the place of incident in suspicion manner and the applicant gave intimidating look to the witness. He has further stated that immediately after that he saw the body of the deceased lying on the road and that she was stabbed by knife. Except the statement, there was no cogent evidence to show that the applicant is involved in commission of murder of the deceased. There is no eye witness to the incident, nor there is any evidence to corroborate the applicant in crime. He is in custody since the date of arrest. Investigation is completed and chargesheet has already been filed. In the circumstances, the case for grant of bail is made out.

4. Hence, I pass following order;

ORDER

(i) Criminal Bail Application No.3251 of 2018 is allowed.

- (ii) The applicant is directed to be released on bail in connection with CR No.110 of 2016 registered with Nehrunagar Police Station, Mumbai, on his furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report to the concerned police station once in a month on the first Saturday of every month between 11.00 am to 1.00 pm till further order.
- (iv) Bail Application stands disposed off.

[PRAKASH D. NAIK, J.]