

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2120 OF 2019

Bilal Karim Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondents

Mr. Tabish Mooman i/b. Hasan Ali Mooman for Applicant.

Mr. S.R.Agarkar, APP for Respondent – State.

PSI – V.S.Sawant – Sewree Police Station.

CORAM : SANDEEP K. SHINDE, J.

DATE : 3RD JANUARY, 2020

P. C. :

1. The applicant is seeking enlargement on bail in Crime No.52 of 2018 (Corresponding Sessions Case No.504 of 2018) registered with the Sewree Police Station for the offence punishable under Section 302 of Indian Penal Code. It is alleged that the applicant caused murder of his wife. The postmortem report shows cause of death is Asphyxia due to smothering and

Throttling with head injury. The alleged incident had taken place on 21.04.2018 in the house of the applicant, which was shared by his mother-in-law - complainant. Besides a statement of neighbour recorded on 21.04.2018 and a statement of minor daughter of the applicant corroborates the complaint on the material facts.

2. Learned counsel for the applicant argued that applicant had no intention to cause a death of his wife as could be seen from post incident conduct, in as much as he had taken the deceased to the hospital and informed about her death to her mother.

3. So far as the intention and/or knowledge is concerned, it is to be tasted only after the evidence is laid. In view of this, the application is rejected.

(SANDEEP K. SHINDE, J.)