

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 691 OF 2023

Balaji s/o Dattatray Kamale & Anr. ... Applicants

Versus

The State of Maharashtra & Anr. ... Respondents

...

Mr. Abhay R. Rathod – Advocate for applicants

Mr. V. S. Badakh – APP for respondent/State

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CORAM : R. M. JOSHI, J.

DATE : 04th JULY, 2023

PER COURT :

1. The applicants are apprehending arrest in Crime No. 0191 of 2023 registered with Ahmedpur Police Station for the offences punishable under Sections 307, 324, 504, 506 r/w 34 of the Indian Penal Code.

2. Informant – Shital is the wife of applicant no.1 - Balaji, who has reported the incident on 07.04.2023 in which the present applicants poured diesel on her person and threw a burning matchstick on her person. She claims that her saree was burnt. It is alleged against the applicants that they attempted to commit murder of the informant.

3. Perusal of the record indicates that there are disputes between the informant and her husband. It is stated in the report itself that she received notice for divorce from him. In this background if the allegations in the FIR are considered, then she claims that diesel was poured on her person and she was set on fire. The record, however, further indicates that she did not sustain any burn injury. It is practically impossible that the diesel was poured on her person and saree caught fire but no burn injuries caused to her. Apart from this, statements recorded by the investigating agency also indicates that no such incident has ever occurred. In view of all these facts, the application is allowed in terms of interim relief granted by this Court vide order dated 03rd May, 2023.

[R. M. JOSHI]
JUDGE