

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1924 OF 2024

Kishor Navshya Mukne, Age 30 years,  
Occ.Farming, R/o.Borsheti, Katkari Pada,  
Tal.Palghar, Dist.Palghar  
(Presently lodged at Thane Prison)

Applicant

versus

1. The State of Maharashtra  
2. The Senior Police Inspector,  
Manor Police Station, Dist.Palghar.

Respondents

Mr.Rajesh V. Adrekar, Advocate for Applicant.  
Mrs.Geeta P.Mulekar, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 7<sup>th</sup> August 2024

PC :

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the Applicant is seeking bail in Crime No.216 of 2022, registered with Manor Police Station, District Palghar for the offences u/s.307, 324, 323, 504, 506 of Indian Penal Code.
3. Learned counsel for Applicant pointed out the statement of witness recorded by the Magistrate u/s.164 of Cr.PC and states that there are discrepancies in the said statement and statement of the complainant. It is submitted that the deceased died after four months after the incident. He further pointed out that there are other discrepancies on record. He submitted that charge sheet has been filed and as such further custody of the Applicant is not necessary. He therefore prayed for grant of bail to the Applicant.

4. On the other hand, learned APP strongly opposed the application. It is pointed out that there is sufficient material collected by the Investigating Officer during the investigation to show prima facie involvement of the Applicant in the alleged offence. It is submitted that the offence is very serious. It is further pointed out that Applicant has committed murder of his wife. It is pointed out that minor daughter of the Applicant is the witness to the said incidence.

5. Having gone through the charge sheet and the material collected by the Investigating Officer during investigation, it is evident that the daughter of the Applicant was the witness to the incidence and her statement was recorded by the Magistrate u/s.164 of Cr.P.C. Furthermore, it is evident that injuries were so grievous that after the incident the deceased was in coma for about four months.

6. Thus, considering the nature of evidence collected against Applicant and the role attributed to him in the alleged offence, I am of the opinion that this is not a fit case for grant of bail. Accordingly the application is rejected.

(ANIL S.KILOR, J.)

MST