

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

CRIMINAL BAIL APPLICATION NO. 3190 OF 2024

Mohammed Akil Muzibul Rahaman Nadaf ...Applicant

Vs.

The State of Maharashtra ...Respondent

**SAYALI
DEEPAK
UPASANI**

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SAYALI DEEPAK
UPASANI
Date: 2024.10.09
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Mr. N. M. Nadar, Advocate for Applicant.

Mrs. Ashwini Takalkar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 8th OCTOBER, 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. 1105 of 2020 registered with Tulinj Police Station, Palghar, for the offences punishable under Sections 302, 307, 468-A, 504 and 506 read with Section 34 of the Indian Penal Code, 1860.
- 3) The applicant is in jail from last four years and there is no progress in trial. Furthermore, there are discrepancies in dying declarations. The applicant is the brother-in-law of the deceased and the

brother of the husband of the deceased. The allegations are that there was a demand for dowry and on non satisfaction of the same the accused set the deceased on fire.

4) Considering the fact that there is no progress in trial coupled with the fact that the applicant is in jail from last four years, I am of the opinion that the applicant is entitled for grant of bail.

5) The learned APP is strongly opposed the application. However, considering the above-referred observations, I pass the following order.

ORDER

(i) The Bail Application is allowed;

(ii) It is directed that the Applicant shall be released on bail in Crime No. 1105 of 2020 registered with Tulinj Police Station, Palghar, for the offences punishable under Sections 302, 307, 468-A, 504 and 506 read with Section 34 of the Indian Penal Code, 1860, on furnishing PR. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

(iii) The Applicant shall attend said Police Station on 1st day of every month between 10.00 am to 11.00 am till conclusion of trial, except on the date of trial;

(iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

(v) Liberty is granted to the State for cancellation of bail in case Applicant breaches any of the conditions and/or if the applicant commits similar offence;

(vi) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

The application is disposed of.

[ANIL S. KILOR, J.]