

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 4498 OF 2015

Faiyyaz Salim Bagwan,
Age: 23 years, Occ: Business,
R/o. New Hina Park House No.781,
Mukundnagar, Ahmednagar,
Dist. Ahmednagar.

...Applicant

versus

The State of Maharashtra,
through Police Inspector,
Bhingar Camp Police Station,
Ahmednagar, Dist. Ahmednagar.

...Respondents

.....
Mr. Sanjay V. Mundhe, Advocate for applicant
Mr. S.N. Morampalle, A.P.P. for respondent/State
Mr. N.B. Narwade, Advocate to assist A.P.P.
.....

CORAM : N.W. SAMBRE, J.

DATE : 15th OCTOBER, 2015

ORAL ORDER :

The applicant herein is seeking regular bail in Crime No.I-20/2015 registered with Bhingar Camp Police Station, District Ahmednagar for the offence punishable under Sections 306, 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. Mr. Mundhe, learned Counsel for the applicant, while trying to make out a case for grant of bail, would urge that other persons, who are made accused in the present case, are already

released on bail. Apart from above, according to him, even if the accusations as are made based on the evidence and the charge sheet are taken to be true at its face value, he would urge that no case for offence punishable under Sections for which he was charge sheeted could be established. He would urge that looking to the age of the applicant, it will be appropriate to grant bail to the applicant who was arrested and behind the bars since last about eight months.

3. While opposing the application for grant of bail, learned A.P.P., who is assisted by Mr. N.B. Narwade, learned Counsel for original complainant, would urge that there is sufficient evidence available against the applicant. He would submit that looking to the date of marriage of the applicant with the deceased Chanda, it could be easily inferred that cause of death of the deceased is within special knowledge of the applicant and as such, the applicant is bound to give explanation to that effect.

4. Having considered the submissions made by respective parties, it is noted that the applicant was arrested on 08/02/2015 and after completion of the investigation, the charge sheet is filed in the matter. The applicant got married with the deceased Chanda some time in 2010 and record further depicts that the applicant was having extramarital relations with some other lady. Apart from that, there is

sufficient evidence on record so as to *prima facie* infer the involvement of the present applicant in the crime in question, particularly having regard to the subsequent statements of various witnesses, who were residing adjacent to the house of the present applicant.

5. In view of above, in my opinion, no case for grant of bail is made out. The applicant fails, stands dismissed.

[N.W. SAMBRE, J.]