

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.478 OF 2015

Vinayak s/o Deorao Bhagat

..VS..

**State of Mah., thr Officer In-charge of Police Station Washim,
City Washim**

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri S.D. Chande, counsel for the Applicant.
Shri A.D. Sonak, APP for the State.

CORAM : V.M. DESHPANDE, J.

DATE : SEPTEMBER 23, 2015.

Heard.

By the present application under Section 438 of the Code of Criminal Procedure, the applicant is seeking the relief of pre-arrest bail, since the applicant is apprehending his arrest in connection with Crime No.35 of 2015, registered with Police Station, Washim City, for the offence punishable under Section 306 of the Indian Penal Code.

Having gone through the entire record, I find that the present applicant is indulged in the activities such as filing of the successive bail applications without there being any change in

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circumstance.

Learned counsel for the applicant, in support of his submissions, submits that there is change in circumstance in view of the fact that after the rejection of two bail applications of the present applicant by this Court, the present applicant has filed an application under Section 482 of the Criminal Procedure Code before the Division Bench of this Court. The applicant, in the said application, has joined non-applicant No.3 who is the widow of the deceased who committed suicide.

Learned counsel for the applicant further submits that the widow, in the said application, has filed her reply stating therein that there was no instigation to the deceased, who is her husband, at the hands of the present applicant.

In view of the aforesaid, for the reasons best known to the applicant that the widow was joined as party non-applicant No.3 to the application under Section 482 of the Criminal Procedure Code, she was not first informant. Now taking advantage of filing of reply of the said widow, since the present application is moved for grant of anticipatory bail

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which shows that the present applicant is influencing the course of the investigation and interfering with the prosecution case, this Court proceeds to reject the application for grant of anticipatory bail.

Hence, the criminal application is rejected in aforesaid terms.

JUDGE

!! BRW !!

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