

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

CRIMINAL BAIL APPLICATION NO. 2605 OF 2017

Azim Sawar Ali Khan	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.K.S. Patil for Applicant.

Mr.S.S. Hulke, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 15th March 2019.

P.C. :

1] This is an application under Section 439 of the Code of Criminal Procedure for bail in connection with C.R. No. I-731 of 2016 dated 31/12/2016 registered with Waliv Police Station, District Palghar, for the offence punishable under Section 302 read with 34 of the Indian Penal Code.

2] Heard the learned counsel for the applicant and the learned APP for the State. Perused the chargesheet.

3] The date and time of incident is 29th December 2016 between 8.00 pm to 8.30 pm and the place of offence is the house of the applicant. It is the case of the prosecution that the deceased Ms.Saroj

Jaiswal was having illicit relations with the applicant for about 4 years prior to the date of incident. It is the further prosecution case that, the deceased was also having illicit relations with Mr.Nasim Islam Mohammad and Karan Bangali Ansari @ Chaudhari. That due to the said reason, the applicant got enraged and called the deceased at his residential premises on 29/12/2016 and committed her murder by slitting her neck.

4] The dead body of Saroj was found in the house of the applicant. The applicant has no explanation to offer as to how the dead body of Saroj was found in his residential premises. There is more than sufficient material available on record to show the clear complicity of the applicant in the present crime.

5] In view of the above, this Court is of the view that the applicant does not deserve to be released on bail.

6] As the applicant is in jail since 08/01/2017, the learned Additional Sessions Judge, Vasai, is hereby requested to expedite the hearing of Sessions Case No. 22 of 2017.

7] Application is dismissed with aforesaid directions.

[A.S. GADKARI, J.]