

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

CRIMINAL APPLICATION (BA) NO.124 OF 2019

(Vijay Ashok Tiwari Vs. The State of Maharashtra thr. PSO PS Pratapnagar, Nagpur)

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

Court's or Judge's orders.

Shri M.N. Ali, Advocate for Applicant.
Shri I.J. Damle, APP for Non-Applicant/State.

CORAM: M.G. GIRATKAR, J.

DATE: 28th FEBRUARY, 2019.

Heard Shri M.N. Ali for the applicant.

First application was moved by the present applicant for grant of bail. The said application was withdrawn on 28.04.2018 by the applicant, liberty was granted by this Court to move before the trial Court. Thereafter, bail Application (BA) No.1132/2018 was filed before this Court, applicant unconditionally withdrawn the said application on 17.01.2019. Again, the present application is moved by the applicant for bail. It is the case of the prosecution that in the night of incident applicant along with his wife committed murder of his father-in-law. Applicant put the dead body in a bag in the one hired auto. The applicant kept the bag in the auto. Auto driver suspected some illegal act on the part of applicant and his wife. Therefore, he informed to the Police Station. When he went to inform the police leaving the auto there, applicant and co-accused ran away leaving the said bag in the auto

itself. The said bag was inspected by the police and it was found that dead body of deceased found in the bag. Offence was registered. During the investigation it was revealed that accused and his wife have committed murder of the deceased. Identification parade was conducted and accused were identified by the auto driver and shopkeeper. The wife of applicant is released on bail by this Court in Criminal Application (BA) No.222/2018 vide order dated 20.03.2018. The application of the applicant was withdrawn Criminal Application (BA) No.408/2018 on 20.04.2018. Thereafter, applicant again moved application for bail before this Court in Criminal Application (BA) No.1132/2018, again it was withdrawn. It appears from the charge-sheet that *prima facie* case is against the applicant. Hence, applicant is not entitled for bail.

Application is rejected.

JUDGE