

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

918 BAIL APPLICATION NO.359 OF 2021

**VINOD S/O. BAPU @ BAPURAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA**

Shri. S. J. Salunke, Advocate for the applicant
Shri. S. D. Ghayal, APP for the respondent/State

CORAM : M. G. SEWLIKAR, J.

DATED : 31st August, 2021

PER COURT :-

1. Heard.
2. The deceased was the wife of the applicant. The applicant is Assistant Police Inspector. It is the allegation of the informant, who himself is a police official and the father of the deceased that the applicant used to doubt the chastity of the deceased and on that account he committed murder of the deceased by firing a gunshot into the abdomen of the deceased. The applicant is now projecting the death to be a suicidal death. After completion of investigation charge-sheet was submitted.

3. Learned counsel Shri. Salunke for the applicant states that the applicant did not commit the offence alleged against him. He submits that the deceased committed suicide. He submits that ballistic report is received. He submits that apart from the infirmities in the prosecution case, the trial has not progressed. He submits that since 2018 the case is posted for charge and the charge is yet not framed despite the accused being produced before the learned trial Court regularly. He submits that on this ground alone the applicant is entitled to be released on bail.

4. Learned APP Shri. Ghayal submits that ballistic report is received which shows that the bullet was fired from the service revolver of the applicant. There is strong prima facie case and therefore, applicant may not be released on bail.

5. Admittedly, the applicant had withdrawn the application for bail on earlier occasion after filing of the charge-sheet before this Court. There is no change in circumstance. Ballistic report is against the accused. It

indicates that the bullet was fired from the service revolver of the applicant. Having regard to the evidence collected by the prosecution and since there is no change in circumstance, I am not inclined to release the applicant on bail. In this view of matter, application is rejected.

6. The applicant is in jail since last 3 years. If the accused is produced on the next date the trial Court shall frame charge. Trial is expedited.

[M. G. SEWLIKAR, J.]

ssp