

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

**INTERIM APPLICATION NO.4015 OF 2022
IN
CRIMINAL APPEAL NO.1197 OF 2022**

Jafar Khaja Mainuddin Mulla
Age 48 years, Occ: Mechanic
R/at :Almatti, Tal: Bagewadi,
Dist: Bijapur
(At present lodged in Yerwada
Central prison)

... Applicant.

Versus

The State of Maharashtra
(at the instance of Vijapur Naka
Police station, Solapur)

... Respondent.

.....
Ms Megha Bajoria, appointed Advocate for the Applicant.
Smt. GP Mulekar, APP, for the Respondent-State.

.....

**CORAM: NITIN W. SAMBRE AND
R. N. LADDHA, JJ.**

DATE : 2 FEBRUARY 2023

P.C. :-

. This is an application seeking relief under Section
389(1) of Cr.P.C.

2. We have perused the evidence of PW 1 and PW 6, which categorically implicates the Applicant, in the offence in question. PW 1 and PW 6 are the brother and sister of the deceased Fatima who was married to the Applicant. Deceased Fatima died of “Asphyxia”, as the Applicant, in whose custody she was, had pressed her neck. The motive attributed to the Applicant is, questioning the character of the deceased, as applicant was residing in foreign country. There is strong direct evidence against the Applicant. In this background, no case for grant of bail is made out, as such, the Application stands rejected.

3. Liberty to mention for final hearing.

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]