

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1443 OF 2024

Keshav Suryakant Rabwad

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Rajendra Deshmukh, Senior Counsel a/w
Ms. Rakshanda Jaiswal & Mr. V.S. Jain i/b Mr. Deshmukh Devang
Rajendrraa

APP for Respondent/State : Mr. A.S. Shinde

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CORAM : S.G. MEHARE, J.

DATED : OCTOBER 22, 2024

PER COURT:-

1. Leave granted to correct the prayer clause.
2. Heard learned senior counsel for the applicant and learned APP for the State.
3. The applicant seeks bail in Crime No.43 of 2024 registered with Sonkhed Police Station, District Nanded for the offences punishable under Sections 376(2)(n), 377, 292, 293, 294, 500, 506, 509, 306 of the Indian Penal Code and Section 67(a) of the Information and Technology Act.
4. It is a case of suicide because the obscene videos of the victim were viral. The allegations against the applicant were that he viral her obscene videos. He abused her and one time he teased her. On the basis of these allegations, the prosecution has arraigned the applicant as an accused.

5. The learned senior counsel for the applicant argued that considering the role attributed to the applicant, his further detention is not essential. The act of committing suicide was not immediate after the alleged teasing. She never complained against the applicant. However, after her death, the false allegations have been levelled against him because he is a friend of co-accused. The charge sheet has been filed. Nothing is to be recovered from him.

6. Learned APP has argued that the mental condition of the victim was highly affected due to the acts of the applicant because he viral her obscene videos. He did this deliberately. He also abused her once and teased her. Due to the acts of the applicant, she could not tolerate and a young girl was to end her life. Considering the gravity of the offence, he does not deserve bail.

7. The facts discussed above reveal that there are no allegations against the applicant that he ever blackmailed the victim. The victim never lodged the report during her lifetime against the applicant. No weapon is used in the crime. Whether the acts of the applicant amounts to abetment to commit suicide is a matter of appreciation of evidence during the trial. The applicant is a young boy of 19 years old. Nothing is to be recovered from him. Hence, it would be inappropriate to keep him behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Keshav Suryakant Rabwad, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that he should not tamper with the prosecution witnesses and should attend the trial on each and every date.

(S.G. MEHARE, J.)