



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

62 BAIL APPLICATION NO. 1935 OF 2024

**RAHUL BHAGWAN BAVISKAR
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. D. R. Kale
APP for Respondent/State: Mr.S.P.Sonpawale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 02.12.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he is arrested in connection with Crime No.646/2024, registered with Dhule Taluka Police Station, Taluka and District Dhule, for the offences punishable under Sections 108, 85, 115(2), 352, 351 (2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3] The case of the prosecution / complainant as is reflected from the F.I.R. is that he is cousin brother of deceased Madhuri, she married with applicant on 25.04.2018 as per rituals and customs. It is alleged that,

after marriage of 6 and half years, deceased could not begotten child therefore, there was ill-treatment at the hands of the applicant and other co-accused, they were harassing and torturing to her. It is alleged by complainant that, she has told the harassment and ill-treatment done by accused persons to her parents and relatives. It is alleged that, understanding was given to applicant and in-laws but their harassment was continued. It is alleged that, deceased had made phone call to her aunt on 18.09.2024 and she has told that, she could not bear the harassment from her in-laws therefore, if she does anything wrong or happen any wrong with her then the accused are responsible for it. On 18.09.2024 phone call is received to him that the deceased fallen down and she was taken in hospital, when relative reached in the hospital, at that time it found that deceased has committed suicide by hanging herself. In this way Crime No.646/2024 came to be registered with Dhule Taluka Police Station, on 18.09.2024. The applicant is arrested on 19.09.2024.

4] There is no prior complaint against the applicant and that the investigation in the matter is complete and that the maximum punishable under Section 108 of Bhartiya Nyaya Sanhita is 10 years. The deceased Madhuri was *prima facie* on depression on account of non-bearing of a child and the medical treatment was taken for the same. There were no prior complaints against the

applicant registered so also the neighbours have not heard fights with the deceased.

5] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.646/2024, registered with Dhule Taluka Police Station, Taluka and District Dhule, for the offences punishable under Sections 108, 85, 115(2), 352, 351 (2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address.

6] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

7] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC