



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 BAIL APPLICATION NO. 1043 OF 2025

RAKESH MOTILAL VALVI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for applicant : Mr. Suniket A. Kulkarni and Ms. Rutuja L. Jakhade
APP for the respondent – State : Ms. D.S. Jape
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 2 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 12 of 2025 dated 13.01.2025 registered with Taloda Police Station, District – Nandurbar for the offences punishable under Section 103(1) and 238 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the informant is the brother of the deceased, Vandana Rakesh Valvi. The applicant/accused is her husband. The accused was unemployed and had borrowed money from several individuals, which led to frequent quarrels between the couple. On 12/01/2025, the couple went to their field in Kukarmunda, Taloda, District Nandurbar, where argument ensued over the outstanding debts. The accused then assaulted his wife with the handle of a mattock, inflicting serious head injuries that resulted in her immediate death. Following the

incident, the accused conceal the body in a cotton field. Later that night, he secretly moved the body near the river and left it on the road. The body was discovered the next day and report was lodged.

3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged crime. There are no witnesses to the alleged incident and the same is based on circumstantial evidence. It is further submitted that the investigation is complete, and the charge-sheet has been filed. There are no criminal antecedents of the applicant and is also entitled to the ground of parity. Therefore, prayed that the applicant/accused be released on bail.

4. The learned A.P.P. submits that the offence is serious in nature and that there is sufficient evidence against the applicant to establish the applicant's involvement. It is further submitted that, if released on bail, there is a possibility the applicant may threaten or pressure prosecution witnesses to dissuade them from disclosing the true facts to the Court, or that he may abscond and not be available for trial. Therefore, prayed for the rejection of the bail application.

5. Having heard the learned counsel for the respective sides and upon perusal of the record including the chargesheet, indicates the minor son was the last person to see his mother in the company of the applicant/accused. Furthermore, the weapon used in the commission of the crime and other related articles are recovered at the instance of the accused. Thus, there is, *prima facie*, overwhelming evidence to indicate the complicity of the applicant

in the commission of the offence and subsequently disposed of her body in secrecy to evade punishment.

6. Perusal of the record indicates that the present applicant's role is demonstrably distinct from that of the co-accused granted bail on parity. The applicant's alleged actions involve a different degree of culpability and potentially more direct involvement. Therefore, the factual matrix indicating dissimilarities between the respective roles preclude the application of the parity. As such, the applicant cannot avail the same.

7. Thus, in the light of the aforesaid discussion and considering the severity of the offence, I am not inclined to exercise discretion in the favour of the applicant. Accordingly, the bail application is **rejected**.

[SACHIN S. DESHMUKH]
JUDGE

arp/