



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

ANTICIPATORY BAIL APPLICATION NO. 1084 OF 2025

SAYYED KHALIL SAYYED RASHID

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Siddiqui Sohail E a/w
Mr. Syed Tanveer

APP for Respondent/State : Mr. P.D. Patil

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CORAM : MEHROZ K. PATHAN, J.

Dated : 11th November 2025

PER COURT :

1. The Applicant has approached this Court by way of a second application seeking anticipatory bail, as the earlier application had been filed by him, prior to the filing of the charge-sheet, in connection with Crime No.470/2023 registered with Pundliknagar Police Station, District Aurangabad for the offences punishable under Sections 306, 498-A, 323, 504, 506 read with 34 of the Indian Penal Code.

2. The case of the prosecution is that the Informant Akhtar Karim Baig lodged First Information Report on 17.12.2023 alleging that, the deceased Nishad was his daughter and she married with the applicant on 29.07.2021. He gave valuable items and ornaments in marriage as per demand of in laws. She was treated well for one year

and she had one son out of wedlock. Thereafter, the Applicant and co-accused demanded Rs. 7,00,000/- for purchasing plot. The deceased told about it to the informant. Thereafter, the Applicant and co-accused subjected the deceased to cruelty by mental and physical harassment. They were beating her, abusing her and insulting her. In 2022 she gave birth to specially able child. Since then the Applicant left her alone and went to his village.

3. It is the contention of the learned Counsel for the Applicant that the perusal of the suicide note would not directly implicate the role of the present Applicant in the abetment of the commission of suicide by his deceased wife. The Applicant was married to the deceased on 29.07.2021 and is having a child out of the wedlock. The suicide note itself does not clearly describe the role of the Applicant as the abettor. The earlier application was filed prior to filing of the charge-sheet and as such the same came to be withdrawn as this Court was not inclined. The Counsel for the Applicant further submits that as the investigation is already complete and charge-sheet is filed, the further detention of the Applicant may be necessary and that he is ready to abide by any conditions imposed by this Court and shall attend the trial regularly.

4. As against this, the learned APP for the State vehemently opposes the application on the ground that this is a successive bail application without any change in the circumstance. He further relies on the judgment of **Virupakshappa Gouda & Anr. v. State of**

Karnataka & Anr., reported as (2017) 5 SCC 406 to submit that the mere filing of the charge-sheet would not constitute a change in circumstance. He further submits that earlier application was already withdrawn by this Court without any liberty. He therefore prays for rejection of anticipatory bail, as the Applicant is involved in a serious offence of abetment of suicide, which is punishable with ten years' imprisonment.

5. I have gone through the charge-sheet filed along with the application and the contents of the FIR. The FIR is based on a suicide note left by the deceased Nishad, found at the spot of the incident after she committed suicide by hanging in her parental home. The allegations against the Applicant are in pursuance to the details mentioned in the suicide note by the deceased Nishad. The perusal of the suicide note does not reveal any overt act in immediate proximity that would amount to instigation of the commission of suicide of the deceased Nishad by Applicant. The said suicide note also implicates Shakir to be one of the abettors who had allegedly committed cruelty and harassment upon the complainant. However the accused Shakir is also released by this Court vide order dated 06.05.2024 passed in ABA No.289/2024. I am therefore, inclined to exercise a discretion in favour of the Applicant as the investigation is already completed and the charge-sheet is filed and the charge-sheet does not contain any credible material against the Applicant. The aforesaid observations are prima facie in nature for deciding the application and may not influence the trial Court. The custodial

interrogation of the Applicant therefore may not be necessary. The apprehension that the Applicant may threaten prosecution witnesses and prejudice the trial, can very well be taken care of by imposing conditions upon the Applicant. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant – Sayyed Khalil Sayyed Rashid in connection with Crime No.470/2023 registered with Pundliknagar Police Station, District Aurangabad, he be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousands) with two sureties in the like amount, on the following conditions :

(a) The Applicant is directed to attend the concerned police station and report to the Investigating Officer between 10:30 a.m. to 12:30 p.m. on every Monday and Wednesday, and as and when called, until the filing of the supplementary charge-sheet, if any, against the Applicant.

(b) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.

(d) The Applicant shall submit his Aadhaar Card and PAN Card to the Investigating Officer, along with detailed addresses and phone numbers of himself and two close relatives.

(e) The Applicant shall attend the trial regularly except in emergency, he can seek exemption from the trial Court.

(ii) The application is allowed in the above terms and stands disposed of.

[MEHROZ K. PATHAN]
JUDGE