



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

102 BAIL APPLICATION NO. 1720 OF 2025

Sudhakar Rajaram Rathod

VERSUS

The State Of Maharashtra

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Mr. Suraj R. Bagal h/for Nr. B. N. Gadegaonkar, Advocate for Applicant
Mr. P. P. Dawalkar, APP for Respondent/State
Adv. Telkar And Associate, Advocate for assist to APP

CORAM : SANJAY A. DESHMUKH, J.

DATE : 29.09.2025

PER COURT :-

1. Heard.
2. This is an application seeking regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.163 of 2025, registered at Mukhed Police Station, District Nanded, for the offences punishable under Sections 103(1), 80(2), 85, 352, 352(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The learned advocate for the applicant pointed out the report in which the informant averred that on 02.07.2025, the marriage of his daughter Taubai was solemnized with the applicant. Within seven days of the marriage, she was admitted to the hospital for consuming poison. It is alleged that the applicant forcibly administered green-coloured poison to her and she died on 13.07.2025. Thereafter, the report was lodged.

4. The learned advocate for the applicant pointed out that incident occurred within seven days of the marriage. He further pointed out the doctor's endorsement, stating that the informant's daughter was conscious at the time of admission, but no dying declaration was recorded. The learned advocate also pointed out that the informant's daughter informed the doctor who treated her that she had consumed green coloured water and thereafter suffered. It is significant to note that in her statement recorded by the police, she had not stated that anybody had administered poison to her. It is submitted that the applicant has been falsely implicated in the crime only because he is handicapped and the informant's daughter was not happy with her marriage. He further submitted that the applicant has roots in the society and he will not flee away from the trial. The practical investigation is over. The trial will take long period. It is lastly prayed to allow the application.

5. The learned APP for the State and learned advocate assisting the APP strongly opposed the application and submitted that the applicant is involved in a serious crime. It is alleged that the applicant and co-accused were demanding an amount of Rs.1,00,000/- and on account of said demand, the deceased was harassed and thereafter forcibly administered poison to her. The applicant is an influential person and one of his relatives, is the Police Patil of the village and therefore, the investigation has not been

conducted properly for which writ is filed. It is lastly prayed to reject the application.

6. Perused the papers of investigation, particularly the report, the statements of witnesses as well as papers of medical treatment of the informant's daughter. The medical record shows that at the time of her admission in the hospital, the history was noted by the doctor that she herself had consumed green-coloured water and thereafter suffered. She had not stated that the applicant or co-accused had administered poison to her. The record further indicates that the applicant had taken her for treatment. The practical investigation is over. The applicant has roots in the society. If all these aspects are considered together, certainly the applicant is entitled for bail on the principle that bail is rule and jail is exception. Hence, the following order:

::ORDER::

- I. The application is allowed.
- II. The applicant, in connection with Crime No.163 of 2025, registered at Mukhed Police Station, District Nanded, for the offences punishable under Sections 103(1), 80(2), 85, 352, 352(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-

a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

[SANJAY A. DESHMUKH, J.]

HRJadhav