



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

63 BAIL APPLICATION NO. 1877 OF 2025

Rushikesh Shivaji Funde

VERSUS

The State Of Maharashtra And Another

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Mr. V. D. Sapkal a/w Yash Jadhav i/by Mr. A. B. Jagtap, Advocate for Applicant

Mr. P. P. Dawalkar, APP for Respondents/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 13.10.2025

PER COURT :-

1. Heard.

2. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.348 of 2025 registered at Ahilyanagar Camp Police Station, District Ahilyanagar, for the offences punishable Under Sections 108, 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. The learned Advocate for the applicant pointed out the report in which the informant, father of deceased Vaishnavi, stated that the applicant had relationship with his daughter Vaishnavi. However, in March 2025, the applicant performed marriage with another girl. The informant further averred that his daughter was harassed by the

applicant and that he had made phone calls on the day of the incident. It is further alleged that due to the harassment, the informant's daughter committed suicide.

4. The learned advocate for the applicant submitted that the applicant has been falsely implicated in the crime. The applicant has roots in the society. The investigation is over and the trial will take a long period. Considering all these aspects, it is lastly prayed to grant bail to the applicant.

5. The learned APP for the State strongly opposed the application and pointed out the report, statements of Pallavi and her friend Uttkarsha Gaikwad as well as Whatsapp chatting between the applicant and Vaishnavi. He submitted that the applicant is involved in a serious crime, if he is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

6. Perused the charge sheet, particularly the report, statements of witnesses and Whatsapp chatting between the applicant and Vaishnavi. Considering the peculiar facts and circumstances of the case, particularly the fact that the charge sheet has already been filed, the applicant has roots

in the society and the trial will take a long period, without adverting to the merits of the case, the application deserves to be allowed on the principle that bail is rule and jail is the exception. Hence, the following order:

::ORDER::

I. The application is allowed.

II. The applicant, in connection with Crime No.348 of 2025 registered at Ahilyanagar Camp Police Station, District Ahilyanagar, for the offences punishable Under Sections 108, 352, 351(2) and 351(3) of the Bharatiya 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.
- b) The applicant shall not directly or indirectly, contact any family member of Vaishnavi in the future
- c) The applicant is directed not to forward or share any Whats app chatting, photographs or any other documents to anyone.

[SANJAY A. DESHMUKH, J.]

HRJadhav