



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

53 BAIL APPLICATION NO. 1892 OF 2025

Sanjay Somnath Alias Sominath Pawar

VERSUS

The State Of Maharashtra

...

Mr. Shaikh Nasimoddin Rafiyoddin, Advocate for Applicant

Mr. R. S. Wani, APP for Respondent/State

....

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.131 of 2025, registered at MIDC Paithan Police Station, District Chhatrapati Sambhajinagar, Rural, for the offences punishable under Sections 108, 115(2), 3(5) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The learned advocate for the applicant pointed out the report in which it is averred that the informant's daughter, Bharati, was married with the applicant on 21.06.2023, and they had one son. After two months of marriage, Bharati came to know that the applicant was having

an illicit relationship with the daughter of his paternal aunt, and therefore, the applicant began frequently harassing his wife. On one occasion, the applicant allegedly shoved his wife into a dry well, but she was rescued and no report was lodged at that time, as the matter was compromised. On 02.06.2025, the informant's daughter allegedly consumed poison and committed suicide. The report was lodged against the applicant on the allegations that he mentally and physically harassed his wife, therefore, she committed suicide.

4. The learned advocate for the applicant submitted that the alleged quarrel over an illicit relationship happened more than two years ago. The deceased consumed poison on 02.06.2025. On the same day, her parents came to the hospital and she survived for four days in their presence before passing away on 06.06.2025. There is no dying declaration stating that the applicant harassed or ill-treated her. The applicant even saved life of his wife when she had fallen into a dry well. The applicant has roots in the society. There is no material to show abetment soon before the death. It is lastly prayed to grant bail to the applicant.

5. The learned APP for the State strongly opposed the application and submitted that there are serious allegations against the applicant. The

applicant had once shoved his wife into a dry well and the matter was later compromised. The applicant allegedly harassed his wife due to his illicit relationship, therefore she committed suicide. He submitted that there is ample material against the applicant. If the applicant 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 and statements of witnesses. Without adverting to the merits of the case and in view of the peculiar facts and circumstances of the case, particularly that the charge sheet has already been filed, the applicant has roots in the society and the trial will take a long period, 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.131 of 2025, registered at MIDC Paithan Police Station, District Chhatrapati Sambhajinagar, Rural, for the offences punishable under Sections 108, 115(2), 3(5) and 352 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.

[SANJAY A. DESHMUKH, J.]

HRJadhav