



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1910 OF 2025

RAHUL ASHOK CHANDAR
VERSUS
THE STATE OF MAHARASHTRA

Advocate for Applicant : Mr. G. B. Suralkar
APP for Respondents-State : Ms. R. R. Tandale

CORAM : SACHIN S. DESHMUKH, J.
Date : 4th December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 10.05.2025 bearing Crime No. 251 of 2025 registered with Kopergaon Police Station, Dist. Ahilyanagar for the offences punishable under Sections 103(1), 140(1), 189(2) and 191(2) of the Bharatiya Nyaya Sanhita.

2. The prosecution case is that the First Information Report (FIR) was registered on 10.05.2025 by the brother of the deceased, namely Sainath, who was brought from Pune to the village Kokamthan at midnight by the accused persons in a vehicle driven and owned by the present applicant. In the wee hours, the father of the informant received a phone call from Sanjay Londhe, the father of Accused No. 1 Rupali, informing him that Sainath had

been admitted to Sai Super Hospital, Shirdi. The informant went there and found that deceased Sainath was in an unconscious state and had non functional heart. At about 1:30 pm on 10.05.2025, the doctor informed them that Sainath was dead. The FIR came to be lodged alleging that the accused persons took Sainath in Pune, forcibly brought him into the vehicle, assaulted him, and also administered poison.

3. The genesis lies in relation to the death of the deceased Sainath. After registration of the FIR, the investigation was carried out, which led to the implication of the accused, including the present applicant, in the crime. During the course of investigation, the arrest of the present applicant was effected on 10.05.2025. After completion of the investigation, the charge sheet under Section 302 of the IPC was presented.

4. The learned counsel for the applicant submits that there is no specific role alleged against the applicant in the entire episode. The applicant merely drove the vehicle from Pune to Kokomthan. As such, the applicant is falsely implicated in the alleged offence. This is a case of over-implication. Hence, it is prayed that the application be allowed.

5. The learned APP has opposed the application, submitting that the applicant accompanied the accused persons, and that the deceased was forcibly taken out of his residential flat in Pune; thereafter, he was assaulted and administered a poisonous substance. The role of the applicant is manifest. As such, it is prayed that the application be rejected.

6. It is well settled principle that the discretion to grant bail in serious offences, specially, involving allegations of murder must be exercised with due care and caution.

7. Upon considering the submissions of both sides and perusing the material on record, including the charge sheet, prima facie it appears that the deceased regarded Accused No. 1 as his sister. They were on visiting terms, and even the family members were aware of Accused No. 1's visiting terms with the deceased. The father of Accused No. 1 informed the father of the deceased that he had been brought from Pune to his native place at Kokamthan and was lying unconscious. Upon visiting the place of Accused No. 1, it was found that the deceased was lying on the floor in an unconscious state. His clothes were wet.

8. Further, it prima facie indicates that upon inquiry, it was

informed that the deceased was brought in an Ertiga Car owned by the applicant from Pune to Kokamthan. A perusal of the Post-Mortem (PM) report indicates the cause of death was due to a poisonous substance. Coupled with this, multiple surface wounds and injuries are also noted in the PM report. Those are ante-mortem in nature.

9. Thus, upon examination of the material on record in the form of statements of witnesses and the PM Report, the applicant's complicity in the alleged incident is prima facie evident. The witnesses state that the accused persons reached the place of residence of the deceased at midnight and thereafter, brought him from Pune to Kokamthan. The death of the deceased is evident, and in that view of the matter, considering the present applicant's complicity in the alleged serious offence, he is disentitled from claiming relief of regular bail.

10. The applicant has approached this Court consequent to the rejection of the bail application by the learned Additional Sessions Judge. This Court is conscious of the fact that the High Court has the power to entertain a bail application even after it has been rejected by a subordinate court. However, the High Court must have some fresh grounds upon which to take a view contrary

view from that of the trial court. In the instant case, the learned counsel for the applicant has been unable to demonstrate any such grounds that would persuade this Court to depart from the view taken by the learned Sessions Judge.

11. For the foregoing reasons, I do not find any reason to entertain this successive bail application and the same is, accordingly, **rejected**.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi