



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1865 OF 2025

Deepak Ramesh Rathod

VERSUS

The State Of Maharashtra And Another

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- Mr. S. J. Salunke, Advocate for Applicant
- Mr. A. S. Shinde, APP for Respondents-State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 17.12.2025

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondents-State.
2. The applicant has approached this Court seeking anticipatory bail in connection with FIR No. 0356 of 2025 dated 06.07.2025, registered with Ambad Police Station, District Jalna, for the offences punishable under Sections 109(1), 115(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution, as emerging from the FIR, is that the informant – Swati Rathod, while visiting village Bakshachiwadi, was allegedly subjected to abuse and mental harassment at the hands of her cousin mother-in-law and cousin brothers-in-law. It is alleged

that on 19.06.2025, the cousin brothers-in-law, namely Dipak Rathod and Ganesh Rathod, along with the cousin mother-in-law Tulsabai, harassed her mentally, recorded her video, prevented her from residing in the house and switched off the lights at the instance of her husband Anil Baban Rathod.

4. It is further alleged that on 01.07.2025, she lodged a complaint at Ambad Police Station and that on the next day, one of the cousin brothers-in-law allegedly held her hands and attempted to administer intoxicating medicine to her, as per the instructions of her husband. On these allegations, the present FIR came to be registered.

5. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. It is submitted that the complainant Swati Rathod is the wife of the cousin brother of the applicant and that due to ongoing matrimonial disputes between the complainant and her in-laws, the applicant has been deliberately roped in with false allegations. It is pointed out that the complainant had earlier lodged an FIR under Section 498-A and other allied provisions, which came to be quashed by a Division Bench of this Court by order dated 17.03.2021 passed in Criminal Application No. 964 of 2020. It is further submitted that domestic violence proceedings were also initiated by the complainant against several relatives of her husband, which would indicate a tendency to

implicate multiple family members.

6. Learned counsel further submits that the applicant has deep roots in society, has no criminal antecedents and there is no likelihood of his absconding or tampering with the prosecution evidence. He submits that the applicant is willing to abide by any conditions that may be imposed by this Court.

7. As against this, learned APP opposes the application on the ground that the allegations disclose a serious offence, including an attempt to administer poison to the complainant. It is submitted that the statements of the complainant and her relatives, including Dilip, have been recorded, wherein they have reiterated the incident dated 02.07.2025. It is further submitted that the complainant was taken to Sub-District Hospital, Ambad on 02.07.2025 at about 9.48 p.m., where the medical history records organophosphorus poisoning. Learned APP, therefore, submits that the allegations are prima facie corroborated and the applicant is not entitled to anticipatory bail.

8. I have carefully considered the rival submissions and perused the FIR, the statements placed on record, the medical papers and the order dated 17.03.2021 passed by the Division Bench of this Court in Criminal Application No. 964 of 2020. The medical record shows that though the history was recorded as organophosphorus poisoning, no chemical substance was detected, as the stomach wash did not reveal

any poisonous material and no samples were preserved by the Medical Officer.

9. The record further indicates that the complainant had earlier initiated criminal and domestic violence proceedings against several relatives of her husband, including an FIR which has already been quashed by this Court.

10. Taking into consideration the overall circumstances of the case, the nature of the allegations, the medical papers on record and the previous litigations between the parties, false implication of the applicant cannot be ruled out at this stage. The observations made herein are prima facie in nature and confined only to the adjudication of the present application.

11. In view of the above, I am inclined to grant anticipatory bail to the applicant.

ORDER

- i. In the event of arrest of the applicant – Deepak Ramesh Rathod, he shall be released on bail on furnishing a P.R. Bond of Rs.50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount, in connection with FIR No. 0356 of 2025 dated 06.07.2025 registered with Ambad Police Station, District Jalna, for the offences punishable under Sections 109(1), 115(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, subject to the following conditions :

- A) The applicant shall attend the concerned police station and report to the Investigating Officer as and when called, till filing of the charge-sheet.
- B) The Applicant shall also cooperate with the investigation.
- C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

12. Needless to say that violation of any of the above conditions or involvement of the applicant in any other cognizable offence shall entitle the prosecution to seek cancellation of bail.

13. The Anticipatory Bail Application stands disposed of.

(MEHROZ K. PATHAN, J.)