



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO. 2212 OF 2025

Vitthal Pandurang Karade

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....
Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondents: Mr. S.P. Joshi.

CORAM : MEHROZ K. PATHAN, J.

DATE : 18th NOVEMBER, 2025.

P.C. :-

1. The applicant is seeking their release on regular bail in connection with Crime No. 0483 of 2025 registered with Bidkin Police Station, Dist. Chhatrapati Sambhajnagar for the offences under Sections 108, 115-2 r/w. 3-5 of the Bhartiya Nyaya Sanhita.

2. That, the crime came to be registered on the information given by Balu Butte, wherein, it is alleged that on 10.5.2025, the informant's daughter Sunita told him that her husband is having illicit relations with sister in law i.e. accused no.2. It is further alleged that, the informant and his wife went to Ranjangaon Khuri, where they gave understanding to the present applicant and they took their daughter Sunita to their home. It is alleged that, the applicant came to the house of informant after 8 days and took his wife Sunita with him for cohabitation. It is further alleged that on 1.8.2025, father in law and present applicant came to the informant's house for taking back Sunita to his home, at that time informant gave understanding to husband and

father in law of Sunita not to harass. . It is further alleged that on 6.8.2025, Sunita made a phone call to informant stating that the applicant had went to Hyderabad on 5.8.2025 for dealing regarding onions. It is further alleged that, on 8.8.2025 father in law of Sunita had informant the informant that his daughter has committed suicide. ON this basis, crime came to be registered with Bidkin Police station.

2. It is the submission of learned counsel for the applicant Shri Ghanekar that the applicant is the husband of deceased. Even though there are direct allegations in the FIR about the abetment of commission of suicide, however, the suicide note seized by the prosecution during the course of investigation specifically states that there was no trouble to the deceased from the applicant. Moreover, the deceased had not attributed any role of provocation at the instance of the applicant, which would amount to abetment of suicide of the deceased. According to him the instances, as narrated in the FIR, were never reported by complainant earlier in point of time.

3. Mr. Ghanekar, learned counsel for the applicant further submits that the applicant had earlier filed B.A. No. 1816 of 2025, however, this Court vide its order dated 3.10.2025, was pleased to allow the withdrawal of the application, as that application was filed prior to filing of charge sheet. It is further submitted that, after filing charge sheet on 5.10.2025, the applicant has again moved the learned Sessions Judge, for grant of regular bail, which has been rejected on 3.11.2025. Shri Ghanekar, therefore, submits that the investigation is already complete and charge sheet is filed. As such, further detention of the applicant may not be necessary.

4. As against this, learned APP submits that though the investigation is complete and charge sheet is filed, however, offence being serious in nature and attracts punishment for ten years of

imprisonment, as the applicant is responsible for instigating the deceased to commit suicide, this is not a fit case wherein bail can be granted.

5. I have gone through the charge sheet now filed by the prosecution. Though the Other witness – Pramila, has stated about the illicit relationship of Vitthal with sister in law - Pushpa, however, there is nothing on record to show that the applicant had instigated the deceased or abetted commission of suicide in immediate proximity to the date of commission of suicide i.e on 8.8.2025.

6. So far as the role of present applicant is concerned , even though the suicide note does not attribute any immediate provocation on the part of the applicant, who could be held to be responsible for commission of suicide. It can be gathered from the statement of Pandurang that the applicant was not even present on the date of incident i.e. 8.8.2025 and had left for Hyderabad on 5.8.2025. Thus, looking to the evidence collected by the prosecution, applicant has an arguable case on merits, however, any observation further may prejudice the trial. Hence, I restrain myself to observe anything further on merits. As the investigation is complete and charge sheet is filed, I am inclined to allow the application. Hence, the following order:-

ORDER

[I] The application is allowed ;

[ii] The applicant– Vitthal Pandurang Karade, be released on bail, on furnishing P.B. and S.B. in the sum of Rs. 50,000, in connection with Crime No.0483 of 2025 registered with Bidkin Police Station, Dist. Chhatrapati Sambhajnagar for the offences under Sections 108, 115-2 r/w. 3-5 of the Bhartiya Nyaya Sanhita, on following conditions :-

[i] The applicant shall not tamper with the prosecution

evidence; and shall not influence the witnesses.

[ii] The applicant shall attend the concerned police station on every Monday, Thursday and Friday between 11.00 a.m. and 2.00 p.m. and shall cooperate with the investigation.

[vi] The application is disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-