



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 524 OF 2025

Sunil Balaji Rathod,
Age : 27 years, Occu. : Agril.,
R/o. Pandhra Tanda,
Tq. Kandhar, Dist. Nanded.

... Applicant

Versus

The State of Maharashtra,
Through Police Station Officer,
Police Station Loha, Tq. Kandhar,
Dist. Nanded.

... Respondent

.....
Mr. M. M. Parghane, Advocate for Applicant.
Mr. V. M. Chate, APP for Respondent – State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 16 APRIL 2025

PRONOUNCED ON : 17 APRIL 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in Crime No.10 of 2025 registered at Loha Police Station, District Nanded for offence punishable under sections 108, 3(5), 351(2), 352 and 85 of Bharatiya Nyaya Sanhita.

2. Learned counsel submitted that, applicant is arrested on 13.01.2025. That, FIR is by father of Alka, who was wife of

present applicant. She allegedly committed suicide by hanging herself. That, entire family has been roped in. That, other family members are already released except present applicant. That, no further recovery or discovery is to be made. That, investigation is over and charge sheet is filed on 10.04.2025. For all above reasons bail is urged for.

3. Learned APP opposed on the ground that because of maltreatment and harassment of both physical and mental, informant's daughter, who was wife of present applicant, hanged herself on 08.01.2025. That, husband and in-laws are responsible for the same. That, present applicant is husband of deceased. For such reasons, bail is opposed.

4. Heard. Perused the papers. Informant Dnyaneshwar Jadhav reported police that, his daughter Alka was married with present applicant five years back. For six months his daughter was treated properly, but on petty counts, parents-in-law, husband and brother-in-law started taunting, subjected her to mental cruelty and even put up demand of Rs.3,00,000/- for purchase of agricultural field and motorcycle. His daughter was also driven out for non fulfillment of demand and she was not allowed to come back for cohabitation. Informant claims that he paid Rs.3,00,000/- to

fulfill their demand. By advent of time, his daughter had a son and daughter. On 08.01.2025, he received phone call at 10.30 a.m. from his daughter naming husband and in-laws for beating. Around 11:00 he got call from one Chakuli Rathod about Alka hanging herself. Hence, he lodged report.

5. Prima facie from the FIR, it is emerging that, applicant was married to deceased Alka five years back. Allegations are of taunting and subjecting to mental cruelty, but such allegations levelled against entire family i.e. without specifying distinct role. About allegations of demand, when it was raised is not reflected in the FIR. Informant has stated that he met the demand of Rs.3,00,000/- and thereafter his daughter had delivered two children, namely Sudarshan and Tanvi. Informant has allegedly received phone call from his daughter on 08.01.2025 regarding some incidence of beating to her in the earlier night. Suicide is allegedly committed after 11:00 a.m.

6. Informant, as stated above, claims about demand of Rs.3,00,000/- raised and it being met. Informant reported about some incidence regarding which he claims to have learnt from his deceased daughter on telephonic talk. However, his own wife in her statement has stated that she learnt from her husband about

suicide by their daughter on 08.01.2025. However, she does not state about any incidence of beating being reported by deceased prior to suicide itself.

7. Investigation is over and charge sheet is reported to be filed on 10.04.2025. What is further to be recovered or discovered is not made known to this court by prosecution. Charge sheet being filed recently, course of future trial is uncertain and when no purpose would be served by further detention, relief as prayed deserves to be granted. Hence, the following order is passed :

ORDER

I. The application is allowed.

II. Applicant Sunil Balaji Rathod be released on bail in connection with Crime No.10 of 2025 registered at Loha Police Station, District Nanded, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not enter the vicinity where the informant and family members of deceased reside till conclusion of trial.

[c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[d] The applicant shall attend the concerned police station twice in every week i.e. on every Thursday and Monday and maintain personal diary of his attendance till committal of the case and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)