



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 746 OF 2025

BABLU RANGA SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Mahendra B. Kolpe
APP for Respondents-State : Ms. R. R. Tandale
Advocate for Respondent No. 2 : Ms. Pratibha Suryawanshi
(Appointed)

CORAM : SACHIN S. DESHMUKH, J.

Date : 18th December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 01.11.2024 bearing Crime No. 362 of 2024 registered with Dhoki Police Station, Dist. Dharashiv for the offences punishable under Sections 103(1), 77, 64(1), 65(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. The prosecution case is that the applicant/accused was acquainted with the deceased, the informant, and their family. The applicant/accused used to bring country liquor to the deceased for

two to three years. At a point in time, marriage negotiations for the informant's daughter were in progress, a fact known to the accused. One day, after consuming liquor, the accused told the deceased—the minor victim's father—that he should not be consider engagement of his daughter's elsewhere because the accused himself liked her. While saying this, allegedly the accused displayed the deceased objectionable and obscene photos and videos of the victim saved in his mobile phone.

3. It is further alleged that the deceased inquired as to how the accused obtained these. In response, the accused stated that applicant wanted to marry the victim and would "see how the deceased performed her marriage elsewhere." Furthermore, the accused threatened to make the victim's photographs and videos viral if her marriage was arranged with anyone else.

4. It is further alleged that the accused returned to the informant's house on 27.10.2024 and told the deceased that, as old friends, the deceased should marry off his daughter (the victim) as he wished, and that this issue should not hinder their friendship. In the process, he induced the deceased to drink liquor he had brought with him. Accordingly, compelled the deceased to consume

the liquor in his presence immediately, despite the deceased's reluctance to drink. After consuming the liquor provided by the accused, deceased become uneasy and disoriented, leading to his hospitalization; consequently, he died on 30.10.2024 during the course of treatment.

5. The informant alleges that the accused administered a the liquor mixed with poisonous substance and coerced the deceased to consume, causing the husband's health to deteriorate within hours. He ultimately succumbed to the effects of the poisonous substance.

6. The learned counsel for the applicant submits that there is a substantial variance between the statements of the victim and the informant recorded under Section 183 of BNSS. The allegations regarding the forced consumption of liquor by the deceased are not supported by any material within the investigation papers i.e. the Examination Report issued by Regional Forensic Science Laboratory (RFSL) notes no poisonous substance, indicating and establishing a case of false implication. As the investigation is complete, the charge-sheet has been filed, and nothing further remains to be recovered from the applicant, it is prayed that the applicant be admitted to bail.

7. The learned APP for the State and the learned counsel appointed on behalf of respondent No. 2 vehemently opposed the application, submitting that the applicant is indulged in serious offenses. Applicant has forcefully administered poisonous liquor to the deceased. Furthermore, the informant's daughter (the victim) was also subjected to sexual assault by the applicant. This conduct disentitles the applicant from claiming bail. Given the serious nature of these offenses, it is contended that the applicant's release on bail would create a significant risk of tampering with evidence. Consequently, the APP and the learned counsel for respondent No. 2 pray for the application to be rejected.

8. Considering the submissions from both sides and perusing the record, including the charge-sheet, prima facie, it appears that the Chemical Analysis report prima facie does not reveal any poisonous substance. As such, the medical evidence does not support the prosecution's case that the death was caused by a poisonous substance.

9. As far as the allegations relating to the sexual assault of the minor victim are concerned, date of alleged incident is not

indicated. As such, prima facie appears to have been levelled against the applicant is at a later stage. Moreover, there is a variance in the statements provided by the minor victim and the informant, in relation to sequence of event on the date of alleged incident. Thus, the emerging factual matrix does not, at this stage, reflect active inducement or coercive conduct on the part of the accused in relation to the alleged sexual assault to the victim.

10. Nevertheless, the investigation of the case has been completed and the charge-sheet has been filed. Nothing remains to be recovered from the applicant. Thus, no fruitful purpose would be served by continued incarceration of the applicant.

11. Keeping in view the facts and circumstances aforestated, the applicant's deserves to be enlarged on bail. The learned APP's apprehension about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

12. The High Court Legal Services Sub-Committee, Aurangabad, to pay the fees to the learned counsel appointed on behalf of respondent No. 2, as per rules.

13. Resultantly, following order is passed :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Bablu Ranga Shinde be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 362 of 2024 registered with Dhoki Police Station, Dist. Dharashiv for the offences punishable under Sections 103(1), 77, 64(1), 65(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on the following conditions :-
- (a) The applicant shall attend each and every date of the Trial Court, unless exempted by the Trial Court.
 - (b) The applicant shall not enter into the village Kawalewadi, Tq. Dist. Dharashiv, till conclusion of trial.
 - (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

- (e) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi