IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1506 OF 2026

Rahul Dilwarsing Vasave And Others
VERSUS
The State Of Maharashtra

Ms. R. L. Jakhade, Advocate for applicants
Mr. S. P. Joshi, APP for respondent-State

CORAM : R. M. JOSHI, J.
DATE : 22nd OCTOBER, 2026

PER COURT :-

1. Applicants seek pre-arrest bail in connection with Crime No. 0092 of 2025 registered with Molgi Police Station, Dist. Nandurbar, for the offences punishable under Sections 103(1), 333 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. First Information report lodged by the police personnel indicates that on 09.07.2025, an incident had occurred in which the deceased was assaulted by the applicants and co-accused. It is also claimed that she was administered poisonous substance. Thereafter, assailants fled away from the spot. Victim was admitted in government hospital wherein her statement came to be recorded in presence of Medical Officer. She stated about the present applicants and co-accused having administered poisonous substance to her. During treatment,

victim died. On the basis of these allegations, offence came to be registered against applicants.

3. Learned Counsel for applicants submits that the incident has not been witnessed by any person and as such, considering previous matrimonial disputes, possibility of false implication exists. On these amongst other submissions she seeks pre-arrest bail.

4. Learned APP opposed grant of any relief to the applicants by contending that there is sufficient evidence on record to indicate their involvement in the crime. It is his further submission that post mortem notes indicates the cause of death to be due to poisoning. He also referred to the dying declaration of the deceased showing involvement of the applicants in the crime.

5. *Prima facie* perusal of the record indicates an incident had occurred on 09.07.2025 at about 10 PM in which the deceased was administered poisonous substance by the present applicants. The said allegation get support from the statement of the deceased recorded while she was treated in the hospital. Thus, there is evidence in the form of dying declaration of the deceased showing involvement of the applicants in the crime. Post mortem notes further indicates that deceased died due to poisoning. Needless to say that this evidence is

more than enough to *prima facie* accept involvement of the applicants in the serious crime of murder. Once, *prima facie* evidence is found showing involvement of the applicants in such a crime, question of granting any pre-arrest bail to the applicants does not arise.

6. Hence, application stands dismissed.

(R. M. JOSHI, J.)

B. S. Joshi