IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2193 OF 2026

RAJU BHANUDAS RITHE
VERSUS
THE STATE OF MAHARASHTRA
....

- Mr. Satej S. Jadhav, Advocate for Applicant.
- Mrs. Ashlesha S. Deshmukh, APP for Respondent - State.

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 5th NOVEMBER, 2026

PER COURT :

1. Heard the learned Advocate for the applicant and the learned APP for the respondent – State.

2. The present application is filed by the applicant, who is arraigned as accused in Crime No.628 of 2026, registered with Vaijapur Police Station, Dist. Chhatrapati Sambhajinagar, for offences punishable under Section 108 of Bharatiya Nyaya Sanhta.

3. The prosecution story in brief is that, the informant, who is the sister of the deceased, registered an offence on 01.10.2026 against the present applicant on the basis of the information provided to her by one Shankar Kadam, stating that, the deceased has committed suicide. When the informant reached the spot where the suicide was committed, she came to know that the deceased has consumed poisonous substance near one dam.

During the investigation, the mobile phone of the deceased came to be recovered, wherein there was a videograph of the suicide of the incident recorded, in which it is alleged that the deceased stating that he is committing suicide and the present applicant is responsible for his death. Thus, the offence came to be registered against the present applicant. The applicant came to be arrested on 01.10.2026.

4. Learned Advocate appearing for the applicant submits that apart from one single statement in the FIR that the present applicant is responsible, there is absolutely nothing to connect the present applicant with the alleged incident of suicide. He submits that though the story given by the prosecution is incomplete, the actual reason is the one-sided love affair of the deceased with his niece. He submits that the video recorded by the deceased in his mobile phone has already been recovered, and all the other incriminating material pertaining to the bottle from which he consumed liquor has also been recovered. There is no reason as to why the applicant's custody is necessary to be continued. He submits that even if the applicant is released on bail, he is not an hardened criminal, and there is no possibility that he will hamper or tamper with the investigation.

5. Learned APP submits that, the offence is serious. The video recorded by the deceased himself directly implicates the present applicant. She also submits that the story given by the accused at this stage cannot be taken into consideration, and the bail application will have to be decided on the basis of the FIR and the prosecution case.

6. After hearing the respective arguments and after perusing the FIR, the submission of the learned APP that the story of the applicant cannot be taken into consideration at this stage is absolutely correct. In any event, on going through the FIR itself, the simple statement that the deceased in the video recorded names the present applicant as the person responsible for his death, apart from this, there is nothing on record to remotely connect the present applicant with the alleged incident. The FIR does not mention or make reference to the nature of allegations or harassment that has been caused by the present applicant to the deceased. Though the learned APP points out from the police papers that the statement of the relatives of the deceased has been recorded, in which they state that the deceased some two days prior to the incident have informed them about the threat issued by the present applicant, even taking that into consideration, I do not find any close proximity or nexus with the said threat and the

alleged incident of committing suicide. The statement which has been given by the deceased to the witnesses will have to be tested before the learned Trial Court. In any event, the video in which the entire suicide has been recorded is already recovered, and all the other incriminating material has also been recovered. There is nothing that is yet to be recovered from the present applicant. The applicant has been in custody since 01.10.2026. To my mind, the applicant deserves to be released on bail. Hence, the following order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant, Raju Bhanudas Rithe, shall be released on bail in Crime No.628 of 2026, registered with Vaijapur Police Station, Dist. Chhatrapati Sambhajinagar, for offences punishable under Section 108 of Bharatiya Nyaya Sanhta, on furnishing a personal bond of Rs.20,000/- (Rupees Twenty Thousand only) with one or two solvent sureties in the like amount, subject to the following conditions :

a) The applicant shall attend the trial Court on every date fixed, unless his attendance is specifically exempted.

b) The applicant shall not, directly or indirectly, contact, threaten, induce or influence the informant

or any prosecution witness and shall not tamper with the prosecution evidence.

c) The applicant shall furnish his current residential address and mobile number to the Investigating Officer and the trial Court within seven days of release, intimate any change forthwith, and attend the Investigating Officer upon prior written notice if further investigation is required.

d) The applicant shall not involve himself in any offence of a similar nature while on bail.

e) Breach of any of the above conditions shall entitle the prosecution to apply for cancellation of bail.

(iii) All observations in this order are prima facie and confined to the decision of this bail application. The trial Court shall decide the case independently on the evidence led before it.

(iv) The Bail Application is disposed of in the above terms.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale