



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2333 OF 2025

Rahul Dharma Kute

.. Applicant

versus

The State of Maharashtra & others

.. Respondents

Mr. N. B. Patekar, Advocate for the Applicant.

Mr. C. V. Bhadane, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 20th JANUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 941/2025 registered with Ahilyanagar Taluka Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 326(g), 326(f), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023.

2. Case of the prosecution is that on October 19, 2025, at approximately 1:00 am, the informant and her family members heard a noise outside their house. From the window, it was noticed that the present applicant pouring petrol on their vehicle and setting it on fire. On questioning, the applicant reportedly replied that it was in retaliation for the previous complaint lodged by the informant. The

applicant also allegedly threatened to kill the informant. The FIR was registered accordingly.

3. Learned Counsel for the Applicant submits that it is a case of false implication. The complaint is the outcome of the previous enmity between the parties. The provisions of Section 326 of the BNS are not attracted against the applicant. The Applicant has no criminal antecedents and nothing is to be recovered from the Applicant. Investigation in the crime is complete and charge-sheet is also filed. Hence, further incarceration of the Applicant is not justified.

4. Per contra, learned APP vehemently opposed the application. It is submitted that there was enmity between the informant and Applicant and the informant had also lodged complaint against the Applicant. As such, there is premeditation on the part of the Applicant in committing the offence. Hence, prayed to reject the application.

5. Considering the submissions of both sides and having perused the material on record, including the charge-sheet, it is evident that

there was previous enmity between the parties. As such, possibility of false/over implication cannot be ruled out. The applicant has been in custody since arrest on 29.10.2025.

6. Nevertheless, the investigation is complete for all intent and purposes. Resultantly, the chargesheet is filed. As such, further detention of the Applicant as an under trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favor of the Applicant. However, by imposing stringent conditions.

7. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Rahul Dharma Kute, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 941/2025 registered with Ahilyanagar Taluka Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 326(g), 326(f), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

(a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.

(c) The Applicant shall attend the concerned police station every Saturday between 12 pm to 1 pm till the framing of charge.

(d) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the 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 state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)