



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 2576 OF 2025

RUPALI SANJAY LONDHE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shailesh S. Chapalgaonkar
APP for Respondent : Ms. R. R. Tandale

...
CORAM : SACHIN S. DESHMUKH, J.

DATE : 23-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.251 of 2025 dated 10.05.2025 registered with Kopargaon Police Station, Taluka Kopargaon, District Ahmednagar, for the offences punishable under Sections 103(1), 140(1), 189(2), 191(2) of the *Bhartiya Nyaya Sanhita*, 2023. In the said crime, the applicant was arrested on 02.08.2025. After completion of the investigation, the chargesheet is filed on 07.08.2025.

2. The prosecution case is that the informant's deceased brother was employed in an IT firm in Viman Nagar, Pune, having residence in a rented room in Wadgaon Sheri. The deceased and the applicant were having long-standing acquaintances; the deceased regarded the applicant as a sister, and through the applicant frequent visits over the past year, family of the deceased became familiar with the applicant as well.

On 10.05.2025, the deceased was admitted to the hospital after suffering an alleged heart failure. Upon arrival, the informant was notified of brother's death. However, the informant observed suspicious physical trauma, specifically injuries to the lips and red marks around the neck. It was noted that the applicant's father had brought the unconscious deceased to the facility. Subsequent inquiries with the deceased's roommates revealed that the applicant and her family had confronted him regarding an Instagram message he allegedly sent to the applicant's husband, which they claimed disrupted the applicant's personal life. The applicant and co-accused forcibly dragged the deceased into a vehicle and transported the deceased to Kokamthan from Pune. There, the accused allegedly assaulted the deceased and administered poison, resulting the death of the deceased. Hence, the report.

3. The learned counsel for the applicant submits that the allegations are concocted and fabricated, leading to false implication of the applicant in the offence. The prosecution case relies merely on th circumstantial evidence, with no direct proof or medical opinion connecting the applicant in the offence or establishing homicidal poisoning. The post-mortem report attributes the death to an "unknown poisonous substance", however, viscera report does not indicate any poison. Such substance was recovered from the applicant. There is no evidence

of force, coercion, or criminal intent. It is submitted that the applicant is a woman with no criminal antecedents and statements of all material witnesses have been recorded, the continued incarceration is unwarranted. Hence, prayed to admit the applicant to bail.

4. Learned A.P.P. has vehemently opposed the application, contending that a *prima facie* case exists based on the specific role attributed to the applicant in the FIR. The applicant and co-accused forcibly abducted the deceased, whose subsequent death by an "unknown poison" creates a strong suspicion of the involvement. The gravity of the offence carries a potential sentence of life imprisonment or death. The release of the applicant poses a significant risk of tampering with the evidence and influencing material witnesses. Hence, prayed to reject the application.

5. Upon considering the submissions of both sides and perusal of the record, including the chargesheet, *prima facie*, indicates that under the proviso to Section 437(1) of the CrPC (and the corresponding Section 480 of the BNSS), the court is vested with the discretion to grant bail to a woman even in cases involving offences punishable by death or life imprisonment. This special provision recognizes the unique social and domestic position of female applicants.

6. The prosecution's case rests primarily on circumstantial evidence and the theory of last seen together, alleging that the applicant and co-accused forcibly took the deceased to Kokamthan. The FIR attributes a specific role to the applicant. The medical evidence remains inconclusive; the post-mortem report indicates "unknown poisonous substance". Upon verification, the viscera report confirmed the absence of any poisonous substances. Consequently, there is no forensic basis to conclude that the death was a result of homicidal poisoning. Further, no incriminating substance was recovered at the instance of the applicant to establish a direct link to the alleged administration of poison.

7. *Prima facie*, it indicates that the offence is serious, the investigation is now complete and a charge sheet has been filed, significantly reducing the risk of tampering with evidence. Considering that the applicant is a woman with no criminal antecedents and has been in custody for a sufficient period, further incarceration of the applicant would serve no purpose. The mere gravity of the allegations, in the absence of clear medical nexus to homicide, does not justify continued incarceration. The apprehension regarding the tampering of witnesses can be effectively taken care by imposing strict conditions.

8. The investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. 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 discretion in favour of applicant.

9. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Rupali Sanjay Londhe, be released on bail, upon 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.251 of 2025 dated 10.05.2025 registered with Kopargaon Police Station, Taluka Kopargaon, District Ahmednagar, for the offences punishable under Sections 103(1), 140(1), 189(2), 191(2) of the *Bhartiya 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 submit *Aadhar* and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) 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 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.]