



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 589 OF 2026

1. Vishnu Namdeo Darade
2. Ankush Vishnu Darade
3. Lahu Vishnu Darade

VERSUS

The State Of Maharashtra

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WITH

CRIMINAL APPLICATION NO. 1727 OF 2026
IN ABA/589/2026

Tanaji Pandit Sanap

VERSUS

Vishnu Namdeo Darade And Others

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- Mr. S. R. Sapkal, Senior Counsel a/w. Mr. Yash Anil Jadhav and Mr. Amit Shivilal Gadekar, Advocates for Applicants
- Mr. A. B. Girase, Public Prosecutor for Respondent - State
- Mr. S. S. Gangakhedkar, Advocate for Assisting the Prosecution

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CORAM : MEHROZ K. PATHAN, J.

DATED : 05.05.2026

PER COURT :

1. Heard learned counsel for the applicants and the learned APP for the respondent-State as also the learned assisting counsel.
2. The applicants have approached this Court apprehending arrest in connection with FIR No.177 of 2026 dated 12.03.2026 registered with Bhoom Police Station, District Dharashiv, for the

offences punishable under Sections 108, 127(2) and 115(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that the informant – Tanaji Pandit Sanap, stated that deceased Ranjit Sarjerao Sanap had accepted an advance amount of Rs.30,000/- from accused Audumbar alias Pinu Vishnu Darade towards sugarcane cutting work. However, instead of joining the said work, the deceased had gone to Pune for driving work. On 11.03.2026, the deceased returned from Pune to village Ugrup and during telephonic conversation informed the informant that the accused persons had detained him at village Rameshwar and were demanding repayment of the advance amount. The deceased repeatedly requested the informant to arrange money and transfer the same to the accused persons. Though attempts were made by the informant to arrange the amount through the employer of the deceased, no amount could be arranged.

4. It is further alleged that on 12.03.2026, the informant received information that the deceased had committed suicide by hanging himself to a lemon tree situated in the agricultural field of one Choughule at Bharanpur Shivar. During inquiry, the informant learnt that the accused persons had allegedly subjected the deceased to harassment and assault over repayment of the advance amount and had wrongfully restrained him at village Rameshwar, due to which

the deceased became mentally disturbed and committed suicide. Hence, the present FIR came to be lodged against the accused persons for the offence of abetment of suicide.

5. Learned Senior Counsel Mr. Sapkal appearing for the applicants submits that the applicants are falsely implicated in the present crime. According to him, even if the allegations in the FIR are accepted in their entirety, the allegations, may disclose a role against accused Audumbar alias Pinya Vishnu Darade, but no specific role is attributed to the present applicants insofar as the offences of abetment of suicide or wrongful confinement are concerned. It is submitted that applicant No.1 – Vishnu Namdeo Darade is the father of the main accused Audumbar, whereas applicant Nos.2 and 3 are his real brothers.

6. Learned Senior Counsel further submits that the applicants were not initially named in the FIR and they came to be subsequently arrayed as accused solely on the basis of the statement of one witness namely Shobha Mahadev Vanave. It is submitted that the applicants have been roped in only because they are family members of the principal accused Audumbar. There is no credible or cogent material connecting the applicants with the commission of the alleged offences.

7. Learned Senior Counsel further submits that the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 pertaining to abetment of suicide cannot be said to be attracted against the present applicants. According to him, the necessary ingredients constituting instigation or intentional aiding for commission of suicide are conspicuously absent. It is further submitted that even the allegations regarding wrongful confinement or kidnapping are punishable with imprisonment up to seven years and the same are also not made out against the present applicants. It is submitted that the applicants have no criminal antecedents, are permanent residents of the locality, and are ready to abide by any condition that may be imposed by this Court. Hence, the applicants may be protected by granting anticipatory bail.

8. Per contra, learned Public Prosecutor as well as learned counsel assisting the prosecution strongly oppose the present application on the ground that the applicants are involved in a serious offence relating to abetment of commission of suicide. It is submitted that though the applicants were not named in the FIR, their involvement surfaced immediately during investigation through the statement of Shobha Vanave, real sister of the deceased, which came to be recorded on the very next day of the incident.

9. It is further submitted that there are statements of other witnesses namely Sarjerao Sanap and Ravindra Vanale, who have specifically stated about the role of the present applicants in forcibly taking the deceased in a white Bolero vehicle in the evening of prior day. Learned Public Prosecutor submits that the deceased was thereafter found dead on the next day and therefore there is sufficient material indicating involvement of the applicants in the commission of the alleged offences.

10. Learned Public Prosecutor further submits that the postmortem report itself indicates multiple ante-mortem injuries sustained by the deceased. Reference is made to Column No.17 of the postmortem report which records several injuries noticed on the person of the deceased. Though the final opinion is reserved by the Medical Officer, the prosecution material prima facie indicates that the deceased was subjected to physical assault prior to his death. It is therefore submitted that custodial interrogation of the applicants is necessary for effective investigation of the crime from all angles. Hence, this is not a fit case for grant of anticipatory bail.

11. I have carefully gone through the investigation papers made available by the learned Public Prosecutor. The statement of witness Shobha Vanave recorded on 13.03.2026, immediately on the next day of the incident, prima facie discloses the involvement of the present

applicants in taking the deceased along with the main accused. The statements of witnesses Sarjerao Sanap and Ravindra Vanale recorded on 16.03.2026 also corroborate the allegations that the applicants had taken deceased Ranjit in a white Bolero vehicle on the date preceding the incident.

12. The statement of independent witness Prakash Shelke further corroborates the prosecution case regarding the phone calls made by the deceased requesting arrangement of money. The prosecution material further reveals that the deceased was allegedly wrongfully restrained by the accused persons over repayment of the advance amount.

13. The postmortem report also reflects several injuries sustained by the deceased which are stated to be ante-mortem in nature. Though the inquest panchnama records a possibility of suicidal death, the prosecution has collected material suggesting that immediately prior to the incident, the deceased was allegedly subjected to harassment, wrongful restraint and assault.

14. Prima facie, the material collected during investigation indicates that the deceased Ranjit was last seen in the company of the present applicants and the main accused on 11.03.2026 and on the very next day he was found dead. The allegations regarding wrongful restraint and kidnapping are supported by the statements recorded

during investigation.

15. Taking into consideration the nature and gravity of allegations, the material collected during the course of investigation, the statements of witnesses, as well as the circumstances emerging from the postmortem report, this Court is of the opinion that custodial interrogation of the applicants would be necessary for carrying out an effective and comprehensive investigation.

16. In such circumstances, this Court is not inclined to exercise discretion in favour of the applicants under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The applicants have failed to make out a case for grant of anticipatory bail. Hence, the application deserves to be rejected.

ORDER

- i. Anticipatory Bail Application No.589 of 2026 is hereby **REJECTED**.
- ii. Criminal Application No.1727 of 2026 stands disposed of accordingly.

(MEHROZ K. PATHAN, J.)