



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.298 OF 2026**

Anna s/o Rajaram Bhokare
Age:- 32 years, Occ. Agri.,
R/o. Wanegaon, Tq. Phulambrei
Tq. & Dist. Aurangabad.

..Applicant

Versus

The State of Maharashtra,
Through Phulambri Police Station,
Taluka Phulambri District Aurangabad.

..Respondent

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Mr. P. P. Giri a/w Mr. S. N. Ghodke, Advocate for Applicant.
Ms. R. R. Tandle, APP for Respondent.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 06th MARCH, 2026**

ORDER:-

1. The applicant seeks regular bail in connection with Crime No.10/2026 registered with Phulambri Police Station, Dist. Aurangbad for offences punishable under Sections 108, 85, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The investigation was set in motion on the basis of information given by Gajanan Shivaji Gawali alleging that his sister Sunita married with applicant. After marriage, she was harassed on account of demand of money. She used to tell her parents about demand and harassment meted to her. Her husband had developed illicit relationship, hence she was mentally depressed. Lastly, accused persons demanded amount of Rs.2,00,000/- for purchase of JCB Machine. On that count, she

was mentally and physically harassed. On 13.01.2026 his sister left her matrimonial house. On 14.01.2026 her dead body was found in well in front of her house. It is alleged that she committed suicide due to abetment of in-laws.

3. The applicant/husband was arrested on 15.01.2026. Since then, he is behind bar. He moved before Sessions Court for grant of regular bail vide application below Exhibit-1 in Criminal Bail Application No.229/2026. However, his application came to be rejected vide order dated 09.02.2026. Hence, this Bail Application.

4. Heard learned Advocates appearing for respective parties.

5. Perused record tendered into service. Apparently, applicant had married with deceased Sunita about 12 years prior to her death. The allegations in FIR states about ill-treatment meted towards Sunita by her in-laws. The allegations are omnibus and unspecific. There is nothing to show that soon before death of Sunita, she was subjected to ill-treatment or mentally tortured that led her to commit suicide. No link between suicide and act of applicant can be found. Section 107 of Indian Penal Code deal with abetment. The person can be said to have abetted only when he commits such an act with design and intention to drive victim to commit such act. In present case, on *prima facie* consideration

of averments in FIR, it is difficult to make out offence of abetment to commit suicide under Section 108 of Bhartiya Nyaya Sanhita. The applicant is behind bar for about seven weeks. Further detention of applicant would not be necessary. Resultantly, case is made out for grant of bail subject to certain conditions. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Anna s/o Rajaram Bhokare be released on bail in Crime No. 10/2026 registered with Phulambri Police Station, Dist. Aurangbad for offences punishable under Sections 108, 85, 3(5) of the Bhartiya Nyaya Sanhita, 2023 on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) on following condition:
 - a. The applicant shall not tamper with prosecution evidence in any manner.
 - b. The applicant shall attend each and every effective date before the Trial Court.
 - c. The applicant shall not indulge in criminal activity.
- (iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE