



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

36 BAIL APPLICATION NO. 525 OF 2026

1. GOPI ALIAS GOPAL RAMESH CHAUDHARI
2. RAMESH RAMCHANDRA CHAUDHARI
3. AMARCHAND RAMESH CHAUDHARI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Ms. Helkute Nirmala K. (Through
Legal Aid).

APP for Respondent/s-State : Mr. N. R. Dayma.

Advocate for Respondent No.2 : Mr. Sachin S. Bhise.

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 27.04.2026

PER COURT :-

1. Heard both sides.
2. The applicants are seeking bail in respect of offence bearing Crime No.354 of 2025, registered with Kadim-Jalna Police Station, District Jalna for the offences punishable under Sections 115(2), 3(5), 351(2), 64(1), 64(2)(f), 85 of Bharatiya Nyaya Sanhita.
3. It is reported by respondent No.2/informant to the police that she is married with applicant No.3 Amarchand before 12 years and there are four children out of the wed-lock. Applicant Amarchand is stated to be addicted to liquor and

used to ill-treat her. Applicant No.1 Gopi happens to be brother-in-law who also ill-treated his wife Gayatri. Informant and Gayatri are real sisters. Gayatri was required to leave matrimonial home and she was staying at father's place at Khamgaon. Applicants tortured informant for bringing home her sister Gayatri. She was subjected to rape in May 2024 by applicant No.1 Gopi. When this was reported to husband, there was no response. Applicant No.2 father-in-law also took disadvantage and ravished her. Applicant Nos.1 and 2 are stated to have committed rape repetitively. Applicant tolerated the torture and exploitation being mother of four children. Ultimately, she also left for her parent's place.

4. Learned counsel for the applicant submits that there is no incriminating material against her client. They are falsely implicated in the offence because of the strained matrimonial relations. Their custody is not required because charge-sheet is filed. The medical report does not support the prosecution case.

5. Per contra, learned APP would point out that it's a serious offence of gang rape. Applicant Nos.1 and 2 are actually committed repetitive rape and applicant No.3 helped them. The supplementary statement of the informant and

statement under Section 183 would disclose that similar type of offence is committed by these persons against the real sister of the applicants.

6. Learned counsel appearing for respondent No.2 would point out the brazen overt act of the applicants in subjecting both women to heinous offence. The feeble and helpless conditions of the women are being taken benefit of.

7. First Information Report discloses repetitive sexual overt act against applicant Nos.1 and 2. Applicant No.3 who is the husband should have protected his wife. When the overt act was reported to him, he remained not only non-responsive but asked her to tolerate.

8. I have gone through the supplementary statement of the informant which is consistent with the First Information Report. It refers that applicant No.3 husband had audacity to suggest her to permit others to do what they were doing. A shocking fact is revealed that real sister of the applicants is also subjected to rape by these persons.

9. The statement under Section 183 of the informant supports the prosecution case. Besides that there are

statements of brother Mahadeo and father Dhanraj to support the prosecution case.

10. I am of the considered view that applicants are involved in offence of gang rape under Section 70 of the B.N.S. The minimum punishment shall be of 20 years and maximum to the extent of life imprisonment.

11. It reveals from the papers of investigation that applicants have taken disadvantage of feeble and helpless conditions of the victim and her sister. Victim and her sister with children are residing at parent's place. Applicants have ill-treated the victim physically and mentally. No case is made out to enlarge them on bail.

12. Bail application is rejected.

13. Needless to mention that the Legal Aid Services Committee shall prescribe appropriate fees to the Lawyer appointed for respondent No.2.

(SHAILESH P. BRAHME, J.)

...

vmk/-