IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 1319 OF 2025.

Raju Shivshankar Rahule
-VERSUS-
State of Maharashtra.

Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri S.N. Nandeshwar, Advocate for the Applicant.
Shri A.A. Madiwale, A.P.P. for the Non-applicant/State.
Shri S.M. Rakshit, Advocate assisting prosecution.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 27, 2026.

Heard the learned Counsel for the parties.

2. The applicant in the present matter came to be arrested in connection with Crime No.235/2025 registered with Hudkeshwar Police Station, Nagpur for the offence punishable under Section 103[1] of the Bhartiya Nyaya Sanhita, (BNS). Charge sheet in the matter is filed and Section 3[5] of the BNS came to be added.

3. The first information was lodged by Dr.Nima Sonare, alleging that she is married, however, due to some issues she is

residing with her parents since last 10 years. Dr.Archana Rahule was her elder sister and Dr.Anil Rahule is husband of her sister. Since last 4-5 years, he was doubting the character of Dr.Archana and on this account there was constant quarrel between the duo. On 12.04.2025 neighbour of Dr.Archana informed the informant on phone that her sister was lying dead in her house. When she reached the spot, large amount of people had gathered and police along with forensic experts had also reached there. She found her sister lying dead on the tiles and there was injury on her head. Hence the first information report was filed on 13.04.2025.

4. The learned Counsel for the applicant submits that in the entire charge sheet there is no material to connect the applicant with murder of the deceased except for CCTV footage, wherein the husband of the deceased was seen with the present applicant at about 2.45 p.m. with a big sack in his hand. The learned Counsel further submits that there is another circumstance i.e. recovery of iron rod at the behest of the present applicant, which was kept in the pipe situated in the garden, where the dead body was found. Except for this, there is no evidence against the applicant in order to complete the chain of

circumstances. He therefore, submits that considering the nature of evidence, the applicant is entitled to be released on bail.

5. On the other hand the learned A.P.P. vehemently opposes the application on the basis of CCTV footage, as on 09.04.2025 at about 2.45 p.m. the applicant and his brother were seen in the neighbourhood where the incident took place. He invites my attention to the statement of son of the deceased, wherein he states that his father had enquired about his mother, since his father was not able to contact his mother from last two days. My attention is also invited to the postmortem report wherein it is shown that 10 injuries were inflicted on the deceased, and the cause of death is head injury. He further submits that the weapon used was iron rod, which was recovered at the instance of the present applicant, as he had hidden the said weapon in the pipe located in the garden, where the applicant as well as his brother had committed the murder of the deceased. He further submits that considering the strong prima facie case against the applicant, he does not deserves to be enlarged on bail.

6. The learned Counsel assisting the prosecution adopts the arguments canvassed by the learned A.P.P.

7. I have heard the parties. Admittedly the deceased was sister in law of the applicant. She was found dead in her house. It further appears that the present applicant and his brother were seen in the CCTV footage on 09.04.2025 at about 2.45 p.m. However, the body was recovered on 12.04.2025 and postmortem was conducted on 13.04.2025 at about 16.00 hours. Admittedly the cause of death was shown to be head injury and in column no.17, 10 injuries are shown. It is further to be seen that in column no.11 it is mentioned that 'Rigor passed off due to decomposition'. So far as the present applicant is concerned, it is not in dispute that he was seen in the CCTV footage at 2.45 p.m. It is also not in dispute that at his behest there was recovery of iron rod having red stains. However, it could be gathered from the entire papers of investigation that the report of CA is yet to be received. Further, though the applicant was seen in the CCTV footage, along with his brother in the neighbourhood of the deceased, that by itself is not sufficient to connect him with the crime in question. It is not clear whether the present applicant along with his brother was going towards the house or coming from the house. Only they both were seen together on

09.04.2025 at 2.45 p.m., whereas the body was recovered on 12.04.2025. In such circumstances, there is no proximity between the time of death and presence of the present applicant along with his brother in the area where the dead body was found. Admittedly, the report of CDR as well as CA report are awaited. Therefore, considering the fact and what is discussed above, coupled with the fact that the applicant was arrested on 13.04.2025, and investigation is completed and charge sheet is filed, I am inclined to grant bail to the applicant. Hence, the following order.

ORDER

(i) Criminal Application is allowed and disposed of.

(ii) The applicant /accused Raju Shivshankar Rahule be released on regular bail in connection with Crime No.235/2025 registered with Hudkeshwar Police Station, Nagpur for the offence punishable under Section 103[1] and 3[5] of the Bhartiya Nyaya Sanhita, (BNS) on his furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.

(iii) The accused shall not enter within the territorial jurisdiction where the informant is residing, till the completion of the trial.

(iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

(v) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.

(vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

(vii) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.

(viii) Misc. Applications, if any, are also disposed of.

JUDGE

Signed by: R.G. Dhuriya (RGD)
Designation: Personal to Honourable Judge
Date: 27/01/2026 19:27:31