



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

CRIMINAL APPLICATION [BA] NO. 401 OF 2026.

Vaibhav Ramdas Paulzagade

-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 K. Jain, Advocate for the Applicant.

Shri V.A. Thakare, A.P.P. for the Non-applicant/State.

Shri H.V. Dhage, Advocate Assisting Prosecution.

CORAM : M.M. NERLIKAR, J.

DATE : APRIL 10, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.94/2026 registered with Nandura Police Station, District Buldhana for the offence punishable under Sections 85, 80[2], 352, 351[3], 351[2], 3[5] 115[2] and 108 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The first information report came to be lodged by Ramdas Davle, father of the deceased Bharti, alleging that marriage of Bharti was solemnized with one Vishal Paulzagade

on 08.05.2021 in which some cash and gifts were given. Initially she was treated well at her matrimonial house for 2-3 months, but, thereafter Bharti told the informant that her husband used to come home under the influence of liquor and used to beat her. Family members of her husband joined him in saying that Bharti has not brought enough dowry from her parents. In-laws of Bharti also used to taunt her and beat her. On 13.02.2026, Bharti called upon the informant, informing him that her husband came home drunk and had beaten her. He asked her to get out of the house and his family members joined in this episode. On 14.02.2026, the informant received a phone call from his nephew that Bharti has committed suicide by hanging herself. Hence the report.

4. The learned Counsel for the applicant submits that vague allegations are levelled in the entire first information report. Though name of applicant appears in the first information report, however, there is no mention of date and time of the incidents, which are narrated therein. Even otherwise, taking the allegations as it is, the ingredients of Sections 80[2] and 108 of the BNS are not made out. The

applicant is brother-in-law of the deceased, and though he is residing in the same house, the allegations levelled against him cannot attract Sections 80[2] or 108 of the BNS. There are no allegations of demand of dowry against the applicant,. The marriage of the deceased was performed in the year 2021 and till the date of committing suicide there is no complaint of whatsoever nature against the applicant, therefore, considering the fact that the applicant is behind bars since 14.02.2026, he be released on bail.

5. On the other hand, the learned A.P.P. and the learned Counsel assisting prosecution vehemently oppose the application by submitting that there are specific allegations against the applicant. The applicant used to harass the deceased along with other family members. They further submit that there are not only allegations of harassment, but, also the applicant had assaulted the deceased once. There is also demand of Rs.5 lakhs from the father of the deceased by the in-laws. The death had occurred within 7 years of the marriage, and therefore, presumption under Section 117 and 118 of the Bharatiya Saksha Adhinyam would be attracted.

They submit that small incidences which are narrated in the first information report had led the deceased to commit suicide, as she was not able to tolerate the harassment at the hands of the applicant and other family members, and therefore, they pray that the bail be rejected.

6. I have considered the rival submissions of the parties. Admittedly the first information report was registered on 14.02.206 by the father of the deceased. It further appears that the deceased has committed suicide by hanging herself at the matrimonial house. It also appears that the marriage of Vishal with the deceased Bharti was performed on 08.05.2021. It is to be noted that the applicant is brother-in-law of the deceased and there are allegations against him in respect of harassment in the nature of taunting the deceased. Once the applicant and mother-in-law had assaulted the deceased by slapping her. Thus, on perusal of the material prima facie it reveals that there are allegations of taunting, as well as once the applicant has slapped the deceased, however, in order to attract Section 108 of the BNS there one of the consideration is close proximity between the last act

committed and the date of suicide, however, in absence of specific date, it is very difficult to say that the acts of the applicant had led the deceased to commit suicide. In such circumstances, 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 Vaibhav Ramdas Paulzagade be released on regular bail in connection with Crime No.94/2026 registered with Nandura Police Station, District Buldhana for the offence punishable under Sections 85, 80[2], 352, 351[3], 351[2], 3[5] 115[2] and 108 of the Bharatiya Nyaya Sanhita, 2023 (BNS) on his furnishing P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand Only) with two sureties 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 one single date, 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