

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1737 OF 2017

Satish Atmaram Shingte

..... Applicant

VERSUS

The State of Maharashtra

..... Respondent

Mr.Rupesh A.Zade for the Applicant.

Mr.S.R.Agarkar, A.P.P. for the State.

CORAM : T.V.NALAWADE, J.

DATE : 29th AUGUST, 2017

P.C.

The application is filed for bail in C.R.No.175 of 2017 registered with Indapur Police Station for the offences punishable under sections 304, 279, 427 etc. of the IPC. The charge-sheet is filed and so the papers of investigation are made available for perusal.

2. A crime is registered on the basis of the report given by one Mahesh Nagesh Bhise. Two persons died in the incident like Vikram @Bhaiya Anil Shinde and Mahendra Chinchkar. The incident took place at about 10.30 p.m. of 11th March,2017. The two deceased and the third youngster Babu Anil Shinde were proceeding on motor cycle and to this motor cycle one Bolero jeep which was driven by the present applicant gave dash from the backside. It is the contention of

the Babu who survived that even when they were seriously injured and the motor cycle had come under the wheels of the jeep, the jeep driver only took the jeep towards the backside and then ran away from the spot with the jeep. The allegations are made that he did not made an attempt to take two injuries to hospital save their life.

3. In the FIR, the suspicion was expressed that the incident was intentional and had happened due to previous enmity. The papers of investigation do not show that the driver of the jeep had even acquaintance with the three boys who were on the motor cycle. The provision of section 304 of IPC is used in the charge-sheet and so the applicant is kept in bail. He is in jail since March 2017. In view of these circumstances and as it is not certain as to how much time will be required for the decision of the case, this court holds that the bail needs to be granted. The applicant is to be released on bail on his furnishing P.B. and S.B. of Rs.1,00,000/- (Rupees One Lac Only) with one or more solvent sureties of the like amount. The applicant is not to tamper with prosecution witnesses. He is not to commit similar offences. He is not to enter the village of Mr.Babu Shinde, the witness.

(T.V.NALAWADE, J.)