

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO.591 OF 2023**

Tukaram Damu Kashid

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Tushar Sonawane for the Applicant.

Mr. Shrikant Yadav, APP for Respondent-State.

Mr. A.A. Kazi, PHC, Sangola Police Station, present.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 5<sup>th</sup> APRIL, 2023.**

**P. C. :-**

1. This is an application under Section 438 of Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R. No.1223 of 2022 registered with Sangola Police Station, District-Solapur, for the offences punishable under Sections 177, 201, 279, 304, 337 and 338 of the IPC and Sections 184, 3(1)/181, 5/181 of the Motor Vehicles Act, 1988.

2. Heard Mr. Tushar Sonawane, learned counsel for the Applicant and Mr. Shrikant Yadav, learned APP to the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Dipak Pilaji Jathar. A perusal of the FIR prima facie reveals that on 31/10/2022 one TATA Nexon Car No. MH/13/DE/7938 was driven in a rash and negligent manner and had caused grievous injuries to several persons, who were part of a procession. Grandson of the First Informant also expired as a result of the injuries sustained in the said accident.

4. It is stated that said vehicle was driven by the co-accused and that the Applicant was only a passenger in the said vehicle.

5. Considering the above fact and circumstances, in my considered view this would be a fit case to exercise discretionary relief under Section 438 of the Cr.P.C. in favour of the Applicant on the following terms and conditions:

- (i) In the event of arrest of the Applicant in C.R. No.1223 of 2022 registered with Sangola Police Station, District-Solapur, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs.25,000/- with one or two sureties to

the like amount;

(ii) The Applicant shall report for two days from 10/04/2023 between 10.00 a.m. to 2.00 p.m. and thereafter as and when required by the Investigating Officer;

(iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner.

(iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. The application stands disposed of.

**(SMT. ANUJA PRABHUDESSAI, J.)**