

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

BAIL APPLICATION NO. 1694 OF 2023

Rajeev Pramod Chaudhary

.Applicant

Versus

The State of Maharashtra

.Respondent

Mr. V. V. Purwant a/w. Ms. Jayshree Y. Gode & Mr. Ram V. Salunkhe, Advocates, for the Applicant.
Ms. Veera Shinde, APP, for the Respondent – State.

CORAM: MADHAV J. JAMDAR, J.

DATE: 22.02.2024

P. C.

1. Heard Mr. Purwant, learned Counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	226/2021
2.	Date of Registration of F.I.R.	27.11.2021
3.	Name of Police Station	Vadgaon Maval Police Station, Pune
4.	Sections invoked	304 r/w. 34 of the IPC, 1860
5.	Date of Incident	27.11.2021
6.	Date of Arrest	27.11.2021
7.	Date of filing of Charge-sheet	21.12.2021

3. Mr. Purwant, learned counsel appearing for the Applicant submitted that it is a road accident in which five persons have died and 27 are injured. He further submitted that the Applicant had lost control over the vehicle and hence the incident in question has occurred.

4. Ms. Shinde, learned APP appearing for the Respondent - State vehemently opposed the Bail Application. She submitted that due to the rash and negligent driving of the Applicant, five persons have died and 27 are injured.

5. However, a perusal of the record shows that the incident in question has taken place on 27.11.2021. The Applicant was arrested on 27.11.2021 and Charge-sheet was filed on 21.12.2021. As per the prosecution, there are about 77 witnesses proposed to be examined by the prosecution.

6. *Prima facie*, there is substance in the contention raised by learned Counsel appearing for the Applicant that the Applicant had lost control over the vehicle while driving the vehicle and hence the incident had taken place. There are no antecedents. It is not the allegation of the prosecution that while driving the vehicle the Applicant was under the influence of alcohol.

7. It is an admitted position that the investigation has been completed and that the Charge-sheet has been filed on

21.12.2021. There are 77 witnesses as per the Charge-sheet. The trial is likely to take a considerably long time.

8. The Applicant does not have any criminal antecedents.

9. The Applicant does not appear to be at risk of flight.

10. Accordingly, the Applicant can be enlarged on bail by imposing conditions. In view thereof, the following order:-

ORDER

(a) The Applicant - Rajeev Pramod Chaudhary be released on bail in connection with C. R. No.226 of 2021 registered with the Vadgaon Maval Police Station, District - Pune on his furnishing P. R. Bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(b) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(c) The Applicant shall report to the Vadgaon Maval Police Station, District - Pune on the first Sunday of every month between 11.00 a.m. and 1.00 p.m. until the conclusion of the trial.

(d) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade such a person from disclosing

the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner. The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.

(f) The Applicant shall surrender his passport, if any, to the Investigating Officer.

11. The Bail Application is disposed of accordingly.

12. It is clarified that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, uninfluenced by the observations made in this order.

[MADHAV J. JAMDAR, J.]