

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2089 OF 2025

Pawan Ravindra Sonawane

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. D. R. Kale
APP for Respondent/State : Ms. R.R. Tandale

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CORAM : MEHROZ K. PATHAN, J.

DATED : NOVEMBER 18, 2025

PER COURT :

1. Heard Mr. Kale, learned counsel for the applicant and learned APP for the State.
2. The applicant has approached this Court seeking regular bail in Crime No.317/2025 registered with Jalgaon Taluka Police Station, District Jalgaon for the offences punishable under Sections 105, 281, 125(a), 125(b), 324(4), 324(5) of Bharatiya Nyaya Sanhita, 2023 and Section 134(b) and 184 of the Motor Vehicles Act, 1988.
3. The case of the prosecution is that on 30.09.2025, at around 10:15 p.m. on Vidgaon Tapi Bridge, at Jalgaon-Mamurabad road an unknown driver of yellow colour dumper carrying mineral sand having Registration No. MH-19-CW-5180 had drove the sand filled dumper in his possession at high speed from Vidgaon towards Yawal. Disregarding the road condition, the driver was driving the

sand filled dumper in his possession at high speed and recklessly hit Tata company Nexon Car No. MH-19-DV-8032 while they were travelling from Jalgaon to Chopada from the front causing the death of Minakshi (Daughter) of complainant and Parth Chaudhari (Elder Grandson) of complainant, whereas Nilesh Chaudhari (son-in-law) of complainant and Dhruv Chaudhari (Younger Grandson) of complainant were seriously injured. The Motor car was damaged and the dumper driver fled without informing about the incident and without making any arrangement of treatment. On the basis of said information, police has registered offence against the driver and owner of dumper No. MH-19-CW-5180.

4. Learned counsel for the applicant submits that the applicant was arrested on 01.10.2025 merely on suspicion that the applicant was the owner of dumper involved in the accident, which has unfortunately taken lives of two persons, who were travelling in Nexon Car No. MH-19-DV-8032. It is submission of the counsel for the applicant that there is nothing on record to show that the applicant is owner of the said dumper and that the applicant was either present on the spot at the time of incident. The only evidence against the applicant is the statement of the co-accused Dipak Dagadu Thakur, who was allegedly driving the said vehicle which has caused the accident.

5. It is his further submission that the applicant is charged with the offence punishable under Section 105 of Bharatiya Nyaya Sanhita, 2023 causing death by rash and negligent act and there being no evidence as against the applicant of driving the vehicle, the applicant may be released on bail, as he is ready to abide by all terms and conditions that may be imposed by this Court.

6. As against this, learned APP Ms. Tandale vehemently opposed to grant bail to the present applicant, as investigation is yet to be completed and charge sheet is not yet filed. There is every possibility that the applicant may tamper with the prosecution evidence and cause prejudice to the prosecution case. She further relied on the statement of Yogesh Bhoi, who was the owner of Vehicle No. MH-19-CW-5180. The present applicant allowed the co-accused Dipak to drive the different dumper bearing fake similar number without having valid driving license of heavy vehicle. The applicant is therefore involved in the present crime and without take due care about the driver not having valid license, he allowed him to drove the vehicle which has resulted in death of two persons. He, therefore, submits that this is not a case to release the applicant on bail.

7. I have gone through the papers which were made available by the learned APP. Perusal of investigation papers shows that it is only on the statement of Dipak that the applicant was implicated in the crime and was arrested thereafter on 01.10.2025.

The statement of Yogesh is also recorded during the course of investigation which does not reveal that the owner of dumper Yogesh sold the vehicle to the present applicant. The statement shows that the said vehicle bearing No. MH-19-CW-5180 is still with the witness Yogesh. However, there is some fraud committed by the driver Dipak and the arrested applicant/accused. In so far as the registration number of the said vehicle is concerned which originally belongs to the original owner Yogesh who is in possession till date, further investigation in that regard is being carried out. However, looking to the nature of allegations and evidence collected as on the date against the present applicant, there is nothing on record to show that the applicant was the owner of the said vehicle. The investigation does not further reveal any overt act on the part of the accused/applicant in causing the accident which has resulted into death of two persons. The applicant is in custody since 01.10.2025 and the investigation as regards the applicant is complete. The statement of arrested driver Dipak is also not part of the case diary. I am therefore inclined to release the applicant on bail as there are no criminal antecedents brought on record. However, the apprehension of the learned APP Ms. Tandale that the applicant may tamper with the evidence and flee away from the ends of justice can very well be taken care of by imposing stringent conditions on the applicant. The applicant can be directed to join the further investigation as regards misuse of fake

registration number on the dumper causing accident. Hence, the following order :

ORDER

(i) Applicant – Pawan Ravindra Sonawane, be released on regular bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) with one or two local solvent sureties in the like amount, in connection with the above crime on the following conditions :

(a) The applicant is directed to attend the concerned police station and report to the Investigating Officer between 12:00 p.m. to 02:00 p.m. on Tuesday and Thursday of every week till conclusion of trial.

(b) The applicant shall attend each and every date of the Trial Court without fail unless exempted by the Trial Court on emergent consideration.

(c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

(d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

(e) The application stands disposed of.

(MEHROZ K. PATHAN, J.)