

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

Bail Application No.1732 of 2025

Saurabh @ Mahendra Dattatraya Lende
Age 21 years, Occupation : Driver,
R/at.: Lendewadi, Post Koregaonbhiwar,
Taluka – Daund, Dist: Pune.
(Currently lodged in Yerwara Central Prison) ...Applicant

versus

The State of Maharashtra
(Through Shikrapur Police Station, Pune) ...Respondent

Mr Satyavrat Joshi, i/b Ishan Paradkar, for the Applicant.
Mr SV Walve, APP, for Respondent / State.

Coram: R.N. Laddha, J.
Date: 2 December 2025

P.C.:

By this successive application, the applicant seeks bail in connection with CR No.25 of 2023, registered at Shikrapur Police Station, Pune, for offences punishable under Sections 307, 353, 341, 283, 186, 427, and 120B of the Indian Penal Code; Sections 9 and 15 of the Environment (Protection) Act, 1986; Sections 3 and 4 of the Prevention of Damage to Public Property Act, 1984; Sections 4(1)(a) and 21 of the Mines and Minerals (Development and Regulation) Act, 1957; Sections

3(1), 181, and 184 of the Motor Vehicles Act, 1988.

2. It is the case of the prosecution that on 11 January 2023, while the complainant was performing his duties, he intercepted the applicant (accused No.1), who was operating a dumper truck transporting illegally excavated murrum without a valid driving licence or the requisite permit for the excavation and transportation of the mineral. Upon being halted by the squad and instructed to drive the dumper truck to the Government Grain Godown at Talegaon Dhamdhere, the applicant contacted the vehicle's owner, accused No.2, and allegedly entered into a conspiracy with him. Rather than complying with the order to stop the vehicle, the applicant is alleged to have deliberately accelerated the dumper truck, driving it directly at the members of the revenue department squad, who had positioned themselves in front of the vehicle. As the squad members managed to avoid being struck, the applicant is then alleged to have fled the scene at high speed. When the complainant pursued the applicant in his own vehicle, the applicant, in collusion with accused No.2, deliberately rammed the dumper truck into the complainant's car, thereby attempting to cause the complainant fatal harm. Subsequently, the applicant discarded the murrum onto the road and absconded from the scene.

3. Mr Satyavrat Joshi, the learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. It is submitted that the First Information Report (FIR) was initially registered against unknown individuals, and no Test Identification Parade (TI Parade) has been conducted. The allegations against the applicant are fallacious and baseless. The learned Counsel contends that there is no material on record to substantiate the prosecution's claim that the applicant illegally possessed murrum, and there are discrepancies in the statements of eyewitnesses relied upon by the prosecution.

4. Drawing the attention of this Court to the injury certificate, it is argued that the injuries sustained by the complainant are of a simple nature, and the application of Section 307 IPC cannot be attracted. It is further pointed out that the co-accused has already been released on bail, and the applicant is entitled to seek parity. Mr Joshi further submits that the applicant has no criminal antecedents and has been languishing in jail since 16 January 2023 without any substantial progress in the trial.

5. Mr SV Walve, the learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request for bail. He submits that a specific role has been

attributed to the applicant, and the allegations levelled against him are grave and serious in nature. The applicant actively participated in the crime by illegally transporting murrum while operating the vehicle without possessing any valid license. Upon being halted, he attempted to kill the officers and fled the scene. The learned APP fairly acknowledges that no TI Parade has been conducted; however, he expresses apprehensions about potential tampering with evidence and witness influence should bail be granted.

6. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the records. From a bare reading of the eyewitness statements, it appears that these witnesses do not implicate the applicant. They further state that the complainant's vehicle overturned while overtaking a truck. Notably, no TI Parade has been conducted. The alleged incident occurred on 11 January 2023 and the complainant's medical examination was conducted on the following day. However, the injury certificate shows the age of the injury as old and simple in nature. The invocation of Section 307 IPC in the present facts and circumstances appears to be debatable.

7. Furthermore, it appears that the applicant's first bail application was withdrawn on 12 December 2023 with liberty

to renew his request after six months if the trial does not progress substantially. However, the charge is not yet framed even after the lapse of about two years. Notably, the co-accused has already been granted bail. The applicant has no criminal antecedents and has been languishing in jail since 16 January 2023. The prosecution intends to examine as many as fifteen witnesses and the trial is unlikely to conclude in the near future. The prosecution's apprehensions about evidence tampering and witness influence can be addressed by imposing appropriate conditions.

8. In light of the foregoing, this Court is inclined to extend the benefit of bail to the applicant and allow the present application on the following terms and conditions:

(i) The applicant shall be released on bail in CR No.25 of 2023, registered at Shikrapur Police Station, Pune, upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

(iii) The applicant shall cooperate and regularly attend the trial proceedings before the jurisdictional Court for the expeditious disposal of the case.

9. The application stands disposed of accordingly.

(R.N. Laddha, J.)