

Shivgan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3942 of 2025**

Bhavika Mohan Dama Alias Bhanushali ...Applicant
Versus
State of Maharashtra _____...Respondent

Mr. R.D.Suryawanshi, *with Ms. Ketkee Kambel, for the Applicant.*

Ms. Anamika Malhotra, *APP for the State-Respondent.*

IO Nalanda Landge, *PI attached to Ghatkopar Police Station, present.*

CORAM Dr. Neela Gokhale, J.
DATED: 14th October 2025

PC:-

1. The Applicant seeks her release on bail in connection with FIR No.989 (649) of 2025 dated 13th September 2025 registered with the Ghatkopar Police Station, Brihanmumbai City, for the offences punishable under Sections 184, 185, 134(A), 134(B), 187 of the Motor Vehicles Act, 1988 and Sections 281, 125(a) and 125(b) of the Bharatiya Nyaya Sanhita, 2023 ('BNS'). Thereafter, the victim succumbed to

injuries and hence, Sections 105 and 110 of the BNS were added.

2. At this stage, Mr. R. D. Suryawanshi, learned counsel appearing for the Applicant, canvasses this Application to the limited extent of grant of bail to the Applicant on medical grounds. He submits that although the Application is filed on merits, he does not press the merits in the Application and he seeks her release purely on medical grounds. He has brought to my notice the medical records of the Applicant filed along with the Application. Admittedly, the Applicant has fractured her hand and there is a plate inserted in her arm. Mr. Suryawanshi submits that the Applicant is desirous of taking medical treatment and undergoing further surgery in a private hospital. In these circumstances, he is seeking her release on medical bail.

3. Ms. Anamika Malhotra, learned APP representing the State, in the present matter, concedes that the Applicant is currently taking treatment in J J Hospital. She however,

submits that since the incident took place only on 13th September 2025, investigation is underway and the charge-sheet is not yet filed. She submits that the charge-sheet is likely to be filed within next one or two months. She thus, resists the Bail Application.

4. I have heard learned counsel appearing for the respective parties and perused the record with their assistance. I have also perused the medical records of the Applicant.

5. Admittedly, the Applicant is presently in J J Hospital, recuperating. As Mr. Suryawanshi has submitted, she is desirous of taking further medical treatment and also undergoing further surgery in a private hospital, in these circumstance, I am inclined to release the Applicant on medical bail for a period of 2 months only. The Applicant is permitted to be shifted to a hospital of her choice in Mumbai. The details of the hospital as well as the doctors treating her

will be provided to the Investigating Officer within a period of 8 days from her release.

ORDER

i) The Applicant be enlarged on medical bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

ii) The Applicant is directed to furnish provisional cash bail of Rs.50,000/- for her release immediately and file an undertaking that she will provide one or two sureties in the like amount of Rs.50,000/- within a period of four weeks after her release, which shall be accepted by the Trial Court. The Applicant shall provide the sureties as directed;

iii) If the Applicant has not deposited her passport, the Applicant shall deposit the same with the Police Station concerned, if any;

iv) The Applicant shall not leave India, without the permission of the Trial Court;

v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vi) The Applicant to co-operate with the conduct of the trial;

vii) The Applicant will inform the name of the doctor and the details of the hospital in which she will be admitted, including its address to the Investigating officer, within a period of 8 days from the date of her release from jail;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

ix) The Applicant shall surrender before the jail authorities concerned, immediately after the expiry of two months from today.

6. Once the Applicant surrenders before the Jail authorities in terms of the present order, she shall be at liberty to file an Application seeking regular bail before the Trial Court.

7. Application is allowed in the above terms and is accordingly disposed of.

(Dr. Neela Gokhale, J)

Digitally
signed by
SHAMBHAVI
NILESH
SHIVGAN
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