

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2750 OF 2025

Hitesh B. Jain ...Applicant
V/s.
The State of Maharashtra ...Respondent.

.....

Adv Jehangir Khajotia & Mr. Rishkesh Soni i/b Ms Raveena S. Yadav
for the Applicant.
Mr. Vishwajeet N. Sagare, APP for the Respondent/State.
PI Mahendra Ghag, Malad Police Station present.

.....

CORAM : N.R. BORKAR, J.
DATE : 10.11.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 671 of 2022 registered at Malad Police Station, for the offences punishable under Sections 288 & 304 read with 34 of the Indian Penal Code (IPC).
3. The deceased was working in the shop of the first informant. The said shop was in the under construction building owned by the applicant. It is alleged that on the date of incident, which took place on 19th May 2022 cement blocks fell on the deceased due to which he died.

4. The learned counsel for the applicant has drawn my attention to the order dated 28th June 2024 passed by this Court in Anticipatory Bail Application No. 15332 of 2022 filed by the co-accused developer. In the said order, this Court has observed that the contractor was under obligation to follow safety measures and make necessary arrangements to avoid untoward incidents.

5. On a specific query in respect of status of investigation, the learned APP, on instructions, submits that the investigation is over. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No.671 of 2022 registered at Malad Police Station, for the offences punishable under Sections 288 & 304 read with 34 of the Indian Penal Code (IPC), he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.

[N.R.BORKAR, J.]