



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.455 OF 2025

Chetan Gulabrao Thorat

Vs.

State of Maharashtra, through Police Station Chikhli, District Buldhana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. R. Pande, Counsel for the applicant.
Ms. Swati Kolhe, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/05/2025

Section 105 of B.N.S. is
added as per Court's
order dated 16.05.2025

1. Present application is preferred by the applicant for grant of bail in connection with crime No.244/2025 registered under Sections 105, 281, 106(1) of the Bharatiya Nyaya Sanhita, 2023, the application is arrested on 28.03.2025.

2. The crime is registered on the basis of report lodged by Nitin Vasant Patil on an allegation that the present applicant has driven the two-wheeler bearing No. MH-28-BM-0372 in a rash and negligent manner, caused the death of the deceased and given a false information to the police about the said incident and given a false information to the father of the deceased. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned Counsel for the applicant who submitted that the recitals of the FIR itself shows that the deceased was in habit of drinking liquor. As far as the rash and negligent riding of vehicle is concerned, the investigation paper nowhere reveals that the present applicant has not taken due care and caution while riding the vehicle. He submitted that it is mere an accident. As far as the further incarceration of the present applicant is concerned, which is not required. In view of that, he be released on bail.

4. Learned APP strongly opposed for the same and submitted that not only the applicant has caused the death of the deceased, but he has given the false information to the father of the deceased which is sufficient to show his intention. Thus, considering the same, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that the accident took place due to the rash and negligent act of the present applicant and the death of the deceased is caused due to the head injury. Considering the nature and circumstances under which the alleged incident has taken place. Now the investigation is already completed, charge-sheet is filed and further incarceration of the present applicant is not required. In view of that, the

application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Chetan Gulabrao Thorat** shall be released on bail in connection with crime No. 244/2025 registered with Police Station Chikhali, District Buldhana for the offence punishable under Sections 105, 281 and 106(1) of the Bharatiya Nyaya Sanhita, 2023, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- (iv) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

Sd/-

(URMILA JOSHI-PHALKE, J.)

Corrected as per Court's order
dated 16.05.2025 passed in
Criminal Application (APPP)
No.981/2025.

(MRS. VRUSHALI V. JOSHI, J.)

Section 105 of B.N.S. is added as per Court's order dated 16.05.2025
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