



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

CRIMINAL APPLICATION (BA) NO. 1092/2025

Saurabh Kumar Shriram Vs. The State of Maharashtra

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

Court's or Judge's orders

Mr. R. R. Rathod, Advocate for the Applicant.

Mr. A. M. Kadukar, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 04/11/2025.

. Heard.

2. The applicant is arrested in Crime No.421/2025 for the offences punishable under Sections 134(A), 134(B) and 184 of the Motor Vehicle Act, 1988 and Sections 105, 125(b) and 281 of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that on 28.08.2025, the complainant was travelling from one auto-rickshaw. There were several passengers in the said auto-rickshaw. The applicant was driving Hyva truck. There was an accident and three persons from the said auto-rickshaw died on the spot. Total eight persons were travelling in the said auto-rickshaw. On the complaint lodged by the complainant, the crime is registered.

4. The learned Counsel for the applicant has stated that it is an accident. At the most, the offence under Section 106 of the Bharatiya Nyaya Sanhita may be attracted against this applicant. The auto was coming from wrong side. The applicant is in jail since 28.08.2025. There is marriage of his sister on 06.11.2025. Being an elder brother, it is his duty to attend and help in marriage of his sister. Hence, prayed to release him on bail.

5. The learned A.P.P. opposed the application stating that the incident took place at 4.00 p.m. in broad daylight. The applicant was driving the vehicle in rash and negligent manner. The offence is serious. Three persons were died on the spot and three thereafter. Out of eight persons six persons died. Therefore, prayed to reject the application.

6. Heard both the learned Counsel for the respective parties.

7. On perusal of the First Information Report it appears that it is the case of an accident. The complainant has stated that eight persons were travelling in said auto-rickshaw and it was coming from wrong side. There is substance in the submission made by the learned Counsel for the applicant that the offence under Section 106 of the Bharatiya Nyaya Sanhita, 2023 will be attracted and it is triable by the Judicial Magistrate First Class.

8. Considering the nature of the offence and though the number of persons died, intention to kill them was not there. It was an accident. Hence, the applicant deserves to be released on bail. Accordingly, I proceed to pass the following order :

i] The criminal application is allowed.

ii] The applicant shall be released on bail in connection with Crime No.421/2025 for the offences punishable under Sections 134(A), 134(B) and 184 of the Motor Vehicle Act, 1988 and Sections 105, 125(b) and 281 of the Bharatiya Nyaya Sanhita, 2023, on furnishing

P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall attend the concerned police station on every Monday and Saturday between 1:00 p.m. to 2:00 p.m. from 10.11.2025.

vi] The applicant shall co-operate the investigation officer.

The Criminal application is disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)