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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**907 CRIMINAL APPLICATION NO. 501 OF 2026
IN APPEAL/83/2026**

ABHIJEET RAJA BHAVSAR

....Applicant

VERSUS

THE STATE OF MAHARASHTRA

.....Respondent

Mr. R. L. Kute, Advocate for the applicant
Ms. A. S. Deshmukh, APP for the respondents/State

CORAM : RAJNISH R. VYAS, J.

DATE : 05th FEBRUARY, 2026

PER COURT :

1. This is an application for grant of bail and suspension of sentence. The applicant is the original accused who was convicted for the commission of the offences punishable under Sections 304, 279, 337, 338, of the Indian Penal Code [for short 'the IPC'] and section 184, 134(a) & (b) read with section 177 of the Motor Vehicles Act [for short 'M. V. Act'] in Sessions Case No. 44/2021 by Additional Sessions Judge, Sangamner dated 06-01-2026. Maximum sentence imposed upon the applicant is of one year. All the sentences were ordered to run concurrently.

2. Learned advocate for the applicant submitted that the vehicle which was seized and vehicle which was involved in an

accident, is not the same. He submitted that considering the fact that sentence imposed upon the applicant is of fixed term, he be released on bail.

3. He further submitted that all through out the trial he was on bail and did not misuse the liberty and surrendered to the custody of the court after the pronouncement of the judgment of conviction. Thereafter, the applicant has preferred an application before the trial court for suspension of sentence and grant of bail which was allowed.

4. Per contra, learned APP contended that the vehicle was driven by the applicant in rash and negligent manner and due to which human life is lost. She submitted that the judgment awarded is based on proper appreciation of evidence and therefore, the application may not be allowed.

5. I have gone through the record of the case. The sentence imposed upon the applicant is of fixed term and for only one year. The applicant can be called upon to under go the same once the appeal is finally decided. All through out the trial, the applicant was on bail and he did not misuse the liberty. The sentence imposed upon the applicant is already suspended. The findings given by the trial court will have to be tested in the light of the grounds raised in the memo of the appeal, which will take some time. In that view of the matter, following order is passed:

ORDER

- a] The application is allowed.
- b] The sentenced awarded upon the applicant for the commission of offence punishable under Sections 304, 279, 337, 338, of the Indian Penal Code and section 184, 134(a) & (b) read with section 177 of the Motor Vehicles Act in Sessions Case No. 44/2021 by Additional Sessions Judge, Sangamner dated 06-01-2026 is hereby suspended till decision of the appeal.
- c] The applicant be released on bail on same terms and conditions as were imposed by the trial court.
- d] The application is disposed off.

[RAJNISH R. VYAS, J.]