



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

BAIL APPLICATION NO.42 OF 2026

Kashyap s/o Vinod Patel

... **APPLICANT**

VERSUS

The State of Maharashtra

... **RESPONDENT**

.....
Mr. V.D. Sapkal, Senior Counsel i/b
Mr. S.C. Shinde and D.S. Kale, Advocate for applicant
Mr. D.B. Bhange, A.P.P. for respondent, assisted by
Mr. B.P. Pande, Advocate for informant

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WITH

**CRIMINAL APPLICATION NO.357 OF 2026 IN
BAIL APPLICATION NO.42 OF 2026**

Abdulla Abit Abdulla Mujib

... **APPLICANT**

VERSUS

The State of Maharashtra & anr.

... **RESPONDENTS**

.....
Mr. B.P. Pande, Advocate for applicant
Mr. D.B. Bhange, A.P.P. for respondent No.1
Mr. V.D. Sapkal, Senior Counsel i/b
Mr. S.C. Shinde and D.S. Kale, Advocate for respondent No.2

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 28th JANUARY, 2026

PER COURT :

1. Criminal Application No.357/2026 is allowed. The original informant is permitted to assist learned A.P.P.

2. By this application, the applicant seeks his release on regular bail in connection with Crime No.459/2025, registered with Jawahar Nagar Police Station, Chhatrapati Sambhajnagar for the offences punishable under Sections 105, 125(a), 125(b), 281 of the Bhartiya Nyaya Sanhita, 2023 and Section 134A of the Motor Vehicles Act.

3. The prosecution case in short is that, on 20/12/2025 at about 9.15 p.m., the informant along with his family members and relatives, after having dinner in a hotel, while they were returning home, at Mondha Naka bridge, one four-wheeler bearing Registration No.MH-20/GQ-0221 gave dash to the rickshaw, due to which Akhtar Rajja fell down from the bridge and others sustained grievous injuries. After the accident, the driver ran away from the spot along with three girls. Akhtar Rajja was immediately rushed to the Ghati Hospital, where he was declared dead. Others were also taken to the hospital for treatment.

4. Learned Senior Counsel for the applicant submits that, the occurrence of the incident is an accident and the informant has falsely implicated the present applicant in the present crime. The applicant has no criminal antecedents. In any case, further custody

of the applicant is not warranted and as such, prayed to allow the application.

5. Per contra, learned A.P.P. and learned counsel for the informant opposed the application contending that the offence is serious and as such, prayed to reject the application.

6. Considering the fact that it is a case of sheer accident, the incident pertinently lacks the elements of a planned crime, making the further custodial interrogation unnecessary. There are no antecedents as against the applicant. Now there is no flight risk or likelihood of the applicant absconding. Nevertheless, the investigation is almost complete for all intents and purposes. Therefore, in my considered opinion, the applicant deserves to be released on bail. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Kashyap Vinod Patel, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) The applicant shall remain present on each date, unless exempted by the trial Court.
- (iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)

fmp/-