Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3875 OF 2026

Omkar Arun Shahane .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Shreeniwas N. Magar, Advocate for Applicant.
- Mr. Sukanta A. Karmakar, APP for Respondent – State.
- PSI – Mr. Sagar Shelake, Shirur Police Station (Pune Rural).

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2026

P.C.:

1. Heard Mr. Magar, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent – State.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.795 of 2026 registered with Shirur Gramin Police Station for offences punishable under Sections 110, 281, 125(a), 125(b) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 184, 134 and 177 of Motor Vehicles Act, 1988.

3. Applicant is alleged to have driven his car in a rash and negligent manner leading to an accident caused on the road of an 11 year old school going student. The child a school going student was

injured, given treatment and discharged on the following day. The cause of the accident was such that the school going child alighted from the school bus on the left hand side of the road and on his own accord was crossing the road alone from behind of the bus to reach to his mother who was standing on the opposite side of the road when the car driven by the Applicant coming from behind struck him.

4. The prosecution has applied several sections of the BNS and MV Act, however it is argued that the provisions of Section 110 relating to causing culpable homicide not amounting to murder would not be attracted in the facts of the present case. Investigation is completed. Applicant is a young offender. No further recovery or discovery is required to be done and barring Section 110 all other Sections are triable by the Magistrates Court and Applicant not having any criminal antecedents persuades me to consider his case for releasing him on bail.

5. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant – Omkar Arun Shahane is directed to be immediately released from prison in connection with CR. No.795 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating

Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

6. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

7. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]

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Date: 2026.10.14 19:07:19 +0530