

CNR No. MHSN170003852026



ORDER BELOW EXH. 01 IN CRIMINAL BAIL
APPLICATION No. 112/2026
Sunil Dinkar Thorat Vs. State of Maharashtra

This application is filed under section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 in connection with Crime No.194/2026 registered with Police Station Atpadi, Tal. Atpadi, Dist. Sangli, under Section 106(1), 125(a), 125(b), 281 of B.N.S., 2023 and 134(A), 134(B), 184 of M.V. Act 1988.

2. The F.I.R. is lodged alleging that, on 10/06/2026 at 6:00 p.m. the driver of silver colour Mahindra XUV 500 drove his vehicle on the road of Zare-Vibhutwadi with rash and negligent manner, high speed and gave dash to Birudev Malve. The driver neither informed to police about accident nor took injured to hospital. Accordingly complaint came to be lodged.

3. According to the applicant, he is innocent and implicated in false offence. The vehicle involved in the alleged accident does not belong to the accused. The applicant is farmer and permanent resident within the jurisdiction of the court. The applicant is not having any criminal antecedent. The applicant is ready to abide conditions imposed by the Court, if release on bail.

4. I.O. has filed say below Exh.7 and prayed to reject the application stating that, the accused is absconding. The four-wheeler vehicle involved in the accident is seized, but number plate was not found on the vehicle, so it is to be investigated whose vehicle was driving by the accused. The accused is having habit to addict liquor

and he was under influence of liquor at the time of incident. The insurance of the alleged vehicle is expired in the year 2023. In order to interrogate with the accused custody of the accused is required.

5. Learned advocate Shri. A. S. Jadhav for the applicant has submitted that this is hit and run case. At the behest of friend the injured F.I.R. is lodged. The Investigating Officer will add section 106(2) of B.N.S., so the accused is apprehension of arrest. Hence, it is prayed application be allowed.

6. On the other side, learned A.P.P. Shri. M. H. Gramopadhye has submitted, number plate was not appeared on the four-wheeler and the accused was under influence of liquor, hence he escaped from the spot. Investigation is going on and without custody of the applicant, it is not possible to I.O. to investigate in this crime. It is prayed application be rejected.

7. I have gone through the record. It appears from the police papers, Investigating Officer collected advance death certificate of deceased Birudev Malve, prepared inquest panchanama and spot panchanama, recorded statements of witnesses. The Investigating Officer has stated for the purpose of interrogation and to tress out owner of four-wheeler, custody of the accused is required.

8. Section 482 of B.N.S.S. contemplates when any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence he may apply to the High Court or the Court of Sessions for direction that in the event of arrest, he shall be released on bail. All the offences levelled against

the accused are bailable, therefore this application is not tenable. There is nothing on record to consider that the Investigating Officer is going to add section 106(2) of B.N.S., hence I do not find substance in the submission of Ld. Advocate of the applicant.

9. As stated above, all offences levelled against the accused are bailable, hence there is no possibility to arrest the accused or even apprehension to arrest. In these fact and circumstances, by accepting submission of learned A.P.P., I pass following order -

ORDER

1. Cri. Bail Application No. 112/2026 is rejected.
2. This application is decided and disposed off accordingly.

Vita
dt.14.07.2026

(U. V. Indapure)
Additional Sessions Judge,
Vita

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same word to word, as per the original Order.

Name of the Stenographer	: S. K. Patil Stenographer (Grade-I.)
Name of the Court	: District Judge-2, & Addl. Sessions Judge, Vita.
Date of the Judgment/Order	: 14.07.2026
Judgment/Order signed by the Presiding Officer on	: 14.07.2026
Judgment/Order uploaded on	: 14.07.2026