



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

927 BAIL APPLICATION NO. 1042 OF 2025

1. Sohel Salim Sheikh.
2. Rohit William Pagare.
3. Pratham @ Dadu William Pagare. **... Applicants**

Versus

The State of Maharashtra. **... Respondent**

...
Advocate for Applicants : Mr. Amol Shivajirao Sawant.
APP for Respondent / State : Mr. R. S. Wani.

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 01st October, 2025.

P.C.:

1 Heard.

2 This is an application is filed for granting regular bail in connection with Crime No.14 of 2025, registered with Railway Police Station, District Nandurbar, for the offences punishable under Sections 118(1), 118(2), 189, 191 and 103(1) of the Bharatiya Nyaya Sanhita.

3 The learned counsel for the applicants pointed out the report, in which it is averred by the informant that the quarrel took place during the travel by train on 2nd February, 2025 at Nandurbar

Railway Station, when the train was halted for some time. Earlier to that, Vijay Pagare co-accused was threatened by the informant side that he will be thrown away as the quarrel took place on account of the seating arrangement in the said train. The applicants and other co-accused went there. One of the co-accused, juvenile in conflict with law, assaulted deceased Sumersingh by knife on his left leg, particularly the thigh. The deceased was admitted in the hospital. Other person i.e. Parbatsingh also sustained injuries. Therefore, report was lodged.

4 The learned counsel for the applicants pointed out the statements of the witnesses, particularly the statements of Ajay and Kuldeep recorded under Section 183 of the BNSS, in which it is stated that Jaydeep and the juvenile in conflict with law assaulted the deceased. The deceased sustained injuries to his left leg by the knife and that child in conflict with law is released on bail. The applicants' role as stated in the statements of the witnesses is that they beaten the informant and others by kicks and fist blows. The applicants have no criminal antecedents. They have roots in the society and they will not flee away from trial. Trial will take a long period. Investigation is over and the custody of the applicants is not necessary. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and pointed out the statements of witnesses, postmortem report and the injury certificates of the injured witnesses. He submitted that before the incident, main accused Vijay called the other accused as he was threatened on the part of the injured party that they will throw him out of the train and the incident took place in which deceased Sumersingh was assaulted on his left and and thereafter, he succumbed to the injuries. There is evidence of eye-witnesses. In the test identification parade, the applicants are identified by the witnesses. Considering the serious nature of the crime, it is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as injury certificate and the postmortem report of the deceased.

7 From the statements of the witnesses, it appears that vague and allegations are made against the applicants that they beaten the injured in the train. Nothing is seized at the instance of these applicants. The applicants have roots in the society and they will not flee away from trial. Trial will take a long period. Considering all these reasons, the application deserves to be allowed on the principle that bail is rule and jail is exception, on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicants in connection with Crime No.14 of 2025, registered with Railway Police Station, District Nandurbar, for the offences punishable under Sections 118(1), 118(2), 189, 191 and 103(1) of the Bharatiya Nyaya Sanhita, be released on bail on furnishing personal bond of Rs.15,000/- each with one surety each of the like amount on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

[SANJAY A. DESHMUKH, J.]

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