

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2744 OF 2024

Sufiyan F. Chouri
V/s. ...Applicant
The State of Maharashtra ...Respondent.

Ms Sana Raees Khan a/w. Mr. Aditya Parmar for the Applicant.
Ms. R.D. Humane, APP for the Respondent/State

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CORAM : N.R. BORKAR, J.
DATE : 07.01.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.788 of 2021 registered at Bharati Vidyapeeth Police Station, Pune for the offences punishable under Sections 302, 109, 115, 120(B) read with 34 of the Indian Penal Code, Section 3(25) (1-B) (a), 4(25), 5(27), 7(25), (1-AA), 8(2)(25)(1-B)(C), 9(1)(A)(i)(25)(1-B)(D) of the Arms Act and Section 37(1) read with 135 of the Maharashtra Police Act.
3. According the prosecution, on the date of incident, which took place on 6.12.2021, the deceased was shot dead. It is alleged that the same was done by the present applicant and the co-accused as there was financial dispute between the deceased and the co-accused.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.
5. The motive for the alleged crime is attributed to the co-accused. The father of deceased is an eye-witness to the present

incident. Admittedly, the applicant was not known to the father of deceased. In spite of it, after arrest of the present applicant it is not understood as to why the T.I. parade was not conducted. The only incriminating evidence against the present applicant is extra-judicial confession of co-accused to witness Anand Surve and the alleged recovery of pistol. However, as the motive is not attributed to the present applicant and as there are no other criminal antecedents against the applicant, I am inclined to release him on bail. In the result, the following order is passed.

ORDER

- A] Bail Application is allowed.
- B] The applicant be released on bail in C.R. No.788 of 2021 registered at Bharati Vidyapeeth Police Station, Pune for the offences punishable under Sections 302, 109, 115, 120(B) read with 34 of the I.P.C., Sections 3(25) (1-B) (a), 4(25), 5(27), 7(25), (1-AA), 8(2)(25)(1-B)(C), 9(1)(A)(i)(25) (1-B)(D) of the Arms Act and Section 37(1) read with 135 of the Maharashtra Police Act, on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C] The applicant shall attend the concerned police station twice in a month ,i.e., on 1st and 3rd Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.
- D] The applicant shall not tamper with the prosecution evidence.

[N.R.BORKAR, J.]