

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4740 OF 2025

Sohil Sajidali Jora @ Fokya

... Applicant

Versus

The State of Maharashtra

... Respondent

NILAM
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KAMBLE

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Mr.Taraq Sayed a/w Ms.Sana Raees Khan, Ms.Palak Kasliwal and Mr.Haider Tapia, for the Applicant.

Mr.P.P. Jadhav, APP for Respondent-State.

Ms.Shital Thembe, PSI, Haveli Police Station, Pune.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th FEBRUARY 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.265 of 2024 registered with Haveli Police Station, Pune, for the offences punishable under Sections 103(1), 61(2), 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Sections 4 and 27 of the Arms Act

2. It is prosecution's case that on 27th November 2024, at around 4.30 p.m, the Applicant and co-accused assaulted the deceased with sickle and murdered him. It is alleged that co-accused Bhausahab Kivale

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had obtained a home loan of Rs.18,50,000/- in the name of deceased, but he was not repaying installments of said home loan. There was dispute between the deceased and co-accused Kivale on that issue. It is alleged that, due to said dispute the co-accused Kivale conspired with the Applicant and other co-accused and gave contract to kill the deceased and accordingly the deceased was murdered.

3. It is contention of learned counsel for the Applicant that co-accused Bhausahab Kivale against whom serious allegations are levelled has been released on bail. The role attributed to the Applicant is of assault on the deceased, but no Test Identification Parade of the Applicant was conducted. It is alleged that the Applicant was seen in CCTV footage, the DVR of the CCTV footage was not taken by proper procedure. The Police constable took the video of the said CCTV footage. On that basis, the Applicant has been involved in present crime. At the time of incident, the Applicant was 19 years old, and requested to allow the Application.

4. It is contention of learned APP that the Applicant and co-accused brutally assaulted the deceased in broad day light. The entire incident is captured in CCTV footage. The Applicant and co-accused are seen in CCTV footage assaulting the deceased by sharp weapon's while

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chasing him. If the Applicant released on bail, he may abscond or threaten First Informant and prosecution witnesses, and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. The role attributed to the co-accused Kivale who has been released on bail is of conspiracy. It is alleged that the Applicant and co-accused were seen in CCTV footage assaulting the deceased with sharp weapon's. The issue raised by the learned counsel for the Applicant regarding recording of CCTV footage in a mobile, is part of trial. The statement of witness Vijay Talekar, CCTV technician shows that he had taken out CCTV footage from incident spot as his company supervises CCTV cameras of said building. Statement of this witness shows police have taken CCTV footage by adopting proper procedure. The Applicant was seen in the CCTV footage, brutally assaulting the deceased with sharp weapon. The incident occurred in broad day light in residential area. There is direct evidence against the Applicant. If the Applicant released on bail, he may abscond or threaten First Informant and prosecution witnesses.

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7. Considering the nature of allegations, the manner in which assault was carried out and severity of offence, I pass following order.

ORDER

(i) The Application is rejected.

(SHIVKUMAR DIGE, J.)