



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**BAIL APPLICATION NO. 123 OF 2025**

Deepak S/o Pandharinath Pawar  
Age: 26 years, Occ.: Pvt. Employee,  
R/o. At present Plot No.3, Galli No.1,  
Behind Bhagyashri Emporium,  
Uttam Nagar, Aurangabad.

....Applicant  
(Ori. Accused No.2)

**Versus**

The State of Maharashtra  
Through its Investigation Officer,  
Jinsi Police Station, Aurangabad,  
Dist.Aurangabad.

.....Respondent

.....  
Advocate for Applicant : Mr.Narayan B. Narwade  
APP for Respondent : Mr.S.B.Narwade

.....

**CORAM : ABHAY S. WAGHWASE, J.**

**RESERVED ON : 25 FEBRUARY, 2025**

**PRONOUNCED ON : 26 FEBRUARY, 2025**

**ORDER :**

1. This is regular bail application on account of arrest of applicant in crime no.0340 of 2024 registered at Jinsi Police Station, Chhatrapati Sambhajnagar for offence under Sections 316(4), 316(2), 306, 317(4) of the Bharatiya Nyaya Sanhita (BNS).

2. Learned counsel pointed out that applicant is arrested in above

crime on 27-12-2024. That, he is mere an employee. That, crime is registered against one Sandip Prakash Kulathe, who was said to be Assistant Sales Manager in R.C.Bafna Jewellers and who used to allegedly steal gold. That, he gave a statement about said stolen gold being brought to the present applicant for melting while he was working with Krushna Tunch and Refinery. That, present applicant was in service of said Krushna Tunch and Refinery. That, he was a skilled worker, who used to melt the gold and further handover it to his owner and he used to get charges for such services. Beyond this, there was no role of the applicant. That, now investigation has progressed extensively. That, nothing further is to be recovered or discovered at the instance of applicant and for above reasons, learned counsel seeks grant of bail.

3. Learned APP strongly opposed on the ground that main accused Sandip used to steal gold from his employer i.e. R.C.Bafna Jewellers and further bring it and to hand it over to present applicant, who used to melt it and as such, various times various gold ornaments were stolen by Sandip and given to present applicant. That, present applicant was aware of the theft but still he melt the gold and gave it to his owner. That, his owner is absconding. That,

he is also one of the accused and further according to learned APP, investigation is in progress and as chargesheet is not filed, learned APP opposes bail application.

4. Heard. Perused the papers. FIR is at the instance of one Vinodkumar Dilipsing Chaudhari, who is Manager with R.C.Bafna Jewellers and he reported Police that in their Akashwani Branch, they had engaged on Sandip Prakash Kulathe as Assistant Sales Manager and he was Incharge of maintaining record of inventory, record of sales and purchases, record of jewellery received, sold and balance/stock. He further reported that as accused Sandip Kulathe was serving since one and half years, everybody trusted him. He further claims that exercise about sales transactions and balance stock of entire day's business was done at 08:00 p.m. everyday.

On 24-12-2024, there was suspicion against conduct of Sandip Kulathe and therefore, exercise of assessing available stock was undertaken and it was revealed that some gold ornaments were not tallying with the stock. On confirming from CCTV Camera, theft committed by Sandip Kulathe was came to light and therefore, informant lodged report against Sandip Kulathe. After arrest of Sandip, during investigation, it was revealed that stolen ornaments

were further handed over to present applicant and therefore, present applicant was also picked up and it was further revealed that present applicant was working with Krushna Tunch and Refinery, Trimurti Chowk, Aurangabad and it was owned by one Aniket Babar and he is said to be still at large. Therefore, there are *prima facie* allegations against present applicant also for dealing with main accused in melting stolen ornaments and further handing it over to the owner of the Krushna Tunch and Refinery, who is still wanted.

5. Learned APP made a statement across the bar that chargesheet is not yet filed. Therefore, considering the above material and taking into account nature of allegations, this Court is not inclined to grant relief. Hence, the following order :

**ORDER**

Bail Application is rejected.

**( ABHAY S. WAGHWASE )**  
**JUDGE**