



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 895 OF 2025

Aniket s/o Rajendra Babar ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. N. B. Narwade, Advocate for the Applicant.

Mr. M. K. Goyanka, APP for Respondents-State.

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 26.08.2025

ORDER :

1. Apprehending arrest in crime no. 340 of 2024 registered at Jinsi Police Station, District Chhatrapati Sambhajnagar (City) for offences under Sections 306, 316(2), 316(4), 317(4) of BNS, this Anticipatory Bail Application is pressed into service.

2. Learned counsel submitted that, above crime is at the instance of one Vinodkumar Chodhary, who was in employment of Bafna Jewelers and he had levelled allegations against one Sandip Kulthe for surreptitiously taking away gold from the jewelry shop worth Rs.1,92,90,290/-. Thus, according to learned counsel, prime allegations are against said Sandip Kulthe. He pointed out that, there are allegations that, another accused namely, Dipak Pandharinath Pawar, in his statement has informed police that, Sandip Kulthe used

to bring gold, and thereafter he used to melt it and for said melting, he used to charge Sandip, and even further, melted gold was handed over to Aniket Rajendra Babar i.e. applicant herein, who runs refinery at Trimurti Chowk, Jawaharnagar, Chhatrapati Sambhajanagar, and he had taken approximately 500 to 600 grams gold from Sandip Kulthe and allegedly given it to present applicant.

3. Learned counsel pointed out that, applicant has no concern with the jewelry allegedly stolen by Sandip Kulthe from Bafna Jewelers. Applicant himself is in the business of refining gold and in said business, accused no.2 used to deal with him. That, their relations were merely professional and business relations. That, mainly because accused no.2 Dipak Pawar made some disclosure to police while in police custody, applicant's name has surfaced. That, there is nothing to show that he had nexus with both accused for any illegal activity or dealing with stolen property. In view of his name emerging, that too from co-accused, applicant apprehends arrest. That, applicant has name and good will in the society and if he is arrested in a crime with which he has no concern, great injustice would be caused to him. Lastly it is submitted that applicant is ready to cooperate. That, no recovery or discovery is to be made at this instance and hence, he urges for protection of anticipatory bail.

4. Learned APP pointed out that, applicant is named. Huge quantity of gold, time to time, was stolen by main accused Sandip Kulthe and it was passed over to accused no.2 and he, in turn, used to further hand over stolen gold to present applicant. According to learned APP, time and again, over 500 to 600 grams gold has been received by present applicant. Arrested accused specifically named him. Therefore for above serious offence of knowingly dealing with stole property, applicant has been named and thus, for effective investigation, application is sought to be rejected.

5. Heard, perused the FIR dated 25.12.2024 at the instance of one Vinodkumar Choudhary. Substance of the FIR is that, one Sandip Kulthe, who was in the employment of Bafna Jewelers, was found to be stealing gold from the Jewelry shop. CCTV footage maintained in the jewelry shop had captured above act of said accused Sandip and therefore, initially crime was registered only against him bearing no. 0340 of 2024. His application has been rejected by this Court.

6. Papers placed before this Court on behalf of prosecution show that during investigation, it emerged that said Sandip used to hand over stolen gold ornaments to one Dipak Pawar and he was accordingly arrested on 27.12.2024. In his statement to police, he

reported that, ornaments brought by Sandip were further handed over by him to Aniket Rajendra Babar who runs Krishna Tanch and Refinery, i.e. present applicant, and he used to purchase said melted gold. It is revealed that around 500 to 600 grams gold was purchased by present applicant from time to time. Learned APP has made a specific statement that investigation revealed that, in spite of being fully aware of stolen gold being brought to him, same has been purchased time to time.

7. Therefore, with such nature of allegations, and for taking investigation to its logical end, this Court is not inclined to grant relief as prayed. Hence, following order :

ORDER

The application is rejected.

[ABHAY S. WAGHWASE, J.]