



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

946 BAIL APPLICATION NO. 1363 OF 2025

SANDIP PRAKASH KULTHE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Imran Khan Guftar Khan Durrani.
APP for Respondent / State : Mr. N. B. Patil.
...

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

DATE : 15th October, 2025.

P.C.:

1 Heard.

2 This is an application, under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short "the BNSS"), for grant of
regular bail in connection with Crime No.340 of 2024, registered with
Jinsi Police Station, District Chhatrapati Sambhajinagar (City), for the
offences punishable under Sections 306, 316(2), 316(4) and 317(4) of
the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS").

3 The learned counsel for the applicant pointed out the
report, in which the informant averred that he is the Manager of R.C.
Bafna Jewellers, Nayantara and Sons at Akashwani Chowk,
Chhatrapati Sambhajinagar. The applicant was serving with the

informant as an Assistant Sales Manager. He was handling Riddhi Siddhi Counter. His job was to keep the account as well as to handle the stock as to how much ornaments are received, sold and remained. The applicant was serving there for 1 and ½ years. Therefore, confidence was created in the mind of all the concerned. On 24th December, 2024, the transactions of the applicant were found doubtful. Therefore, one of the employees, namely Mukesh Sukhe, started to verify the stock. He noticed that some ornaments were not there. Then, it was checked on the computer and it was confirmed that some ornaments were missing from the stock. CCTV footage was checked. It was confirmed that total theft of Rs.1,92,90,290/- was committed by the applicant and the co-accused.

4 The learned counsel for the applicant submitted that charge-sheet has been filed. The applicant has roots in the society and he will not flee away from the trial. Trial will take a long period. The applicant has no criminal antecedents. Custody of the applicant is not necessary for further investigation. Co-accused is released on bail. He therefore, prayed to grant bail to the applicant on the ground of parity also.

5 The learned APP for the State strongly opposed the application and pointed out that the applicant mortgaged the

ornaments stolen from the Bafna Jewellers, Nayantara and Sons with some final institutions. Those ornaments are seized. The applicant is involved in the serious crime. One of the co-accused is absconding. If the applicant is released on bail, he will pressurize the prosecution witnesses and tamper with the evidence. He submitted that at the most trial may be expedited. It is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses as well as seizure *Panchanama* of the stolen gold.

7 The applicant is the prime accused in the crime. He has committed serious crime. The co-accused with is released on bail was having different role that he purchased the gold ornaments. In such fact situation, considering the complicity in the crime, if the applicant is released on bail, he will pressurize the prosecution witnesses and tamper with the evidence. The applicant is behind bars for ten months. The trial can be expedited.

8 Considering the serious role of the applicant in the crime, the applicant is certainly not entitled for bail, even on the ground of parity. The application therefore, deserves to be rejected. The application is rejected.

9 The learned Trial Court is directed to conclude the trial as expeditiously as possible, in any case within one year, as directed by the Honourable Supreme Court in the case of ***Tapas Kumar Palit Vs. State of Chhattisgarh, 2025 SCC OnLine SC 322***. However, it is clarified that if any matter is earlier expedited either by the Honourable Supreme Court or this Court, then the Trial Court shall conclude that case first and then proceed further with this trial. Needless to mention that it is a sessions trial and word “sessions” means once it is started it shall not be stopped till it is concluded.

[SANJAY A. DESHMUKH, J.]

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