

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

Anticipatory Bail Application No.2194 of 2025

Sandeep Narayan Chonde
Age 36 years, Occ-Business,
R/o- Shree Lane, Kalamb,
Taluka Kalamb, District Kolhapur

... Applicant

versus

The State of Maharashtra
(Through Rajarampuri Police Station)

... Respondent

Mr Anil S Kamble, for the applicant.

Mr Anand Subhash Shalgaonkar, APP, for the respondent/ State.

API VR Patole, Juna Rajwada Police Station, is present.

Coram: R.N. Laddha, J.

Date: 6 August 2025.

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.14 of 2017, registered at Rajarampuri Police Station, Kolhapur, for offences punishable under Sections 454, 457, 380, 411 read with 34 of the Indian Penal Code (IPC).

2. According to the case of the prosecution, the complainant, employed as a Primary School Teacher and residing with her family in Kolhapur, was not present at her residence on 17 January 2017. Upon her return the following day, she

discovered that a theft had occurred, involving gold ornaments, silver articles, and cash amounting to Rs.2.32 lakhs. Consequently, she lodged the FIR at the Rajarampuri Police Station. The FIR was registered against unknown persons. During the course of investigation, it transpired that the present applicant was found to be in possession of the stolen property, which he had received from the co-accused.

3. The learned Counsel appearing on behalf of the applicant, submits that the applicant is innocent and has not committed any offence as alleged. Six co-accused have already been arrested, charge sheet was filed against them and they pleaded guilty and were convicted by the learned trial Court. The applicant was not named in the FIR and there is no material available on record to connect the present applicant with the present crime. The applicant is a businessman and never indulged in purchase of stolen gold ornaments.

4. On the other hand, the learned Additional Public Prosecutor representing the respondent/ State, submits that although the offence was committed in the year 2017, the applicant is not available for investigation. The co-accused have been charge sheeted and were convicted. The applicant has purchased the stolen gold ornaments from the co-accused who committed offence of criminal house trespass and theft. The

stolen gold is yet to be recovered and investigation as regards the applicant is incomplete.

5. Upon perusing the records, it appears that the alleged incident occurred in March 2017. The co-accused have been charge sheeted and convicted by the learned trial Court. There is sufficient material available on record to connect the present applicant with the crime. The applicant shop was found closed and he is not available for the purpose of investigation. Prima facie, there is sufficient material to indicate that the applicant purchased stolen gold from the co-accused. The stolen gold ornaments are yet to be recovered. Moreover, the applicant has four criminal antecedents of similar nature.

6. Considering, the nature of allegations, the fact that the stolen articles are not recovered as yet, the criminal antecedents against the applicant of similar nature, and his inavailability for the investigation purposes since 2017, this Court does not find it appropriate to exercise its discretion in favour of the applicant.

7. Accordingly, the application stands rejected.

(R.N. Laddha, J.)