

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3862 of 2025**

Mukesh Kumar Tejraj Jain Lodha ...Applicant
Versus
State of Maharashtra _____ ...Respondent

Mr. Meghashyam Kocharekar, for the Applicant.
Ms. Anamika Malhotra, APP for the State-Respondent.
PSI – Santosh Jadhav, Pantnagar Police Station, is present.

CORAM Dr. Neela Gokhale, J.
DATED: 10th October 2025

PC:-

- 1.** The Applicant seeks his release on bail in connection with FIR No. 678 of 2025 dated 16th June 2025 registered with the Pantnagar Police Station for the offences punishable under Sections 331(4), 305(a), 3(5) of Bhartiya Nyaya Sanhita, 2023 ('BNS').
- 2.** There are in all 9 accused. The Applicant is accused No.9.
- 3.** The facts of the case, in brief, are that accused Nos. 1 and 2 are alleged to have entered the flat of the complainant's

son. Having ransacked the said flat, they have made away with 625 grams of gold, diamond jewelry and 500 grams of silver jewelry, together approximately valuing Rs. 75 Lakhs. The role of the Applicant is that he has received some of the stolen property and has converted the same in a different form, with an intention to sell the same for consideration. Hence, the Applicant is implicated in the present C.R. The Applicant made a bail application before the Additional Sessions Judge, Greater Mumbai. However, by order dated 24th September 2025, the bail application was rejected.

4. Mr. Meghashyam Kocharekar, learned Counsel for the Applicant, submits that his role is limited to receiving gold and silver ornaments, converting them into another form and offering them for sale for consideration. He submits that there is no material to indicate that he had knowledge that the said property was stolen. He submits that the Applicant is innocent and hence prays that the Applicant be released on bail.

5. Ms. Anamika Malhotra, learned APP, contests the bail application and states that the Applicant is known to be a

person, who habitually receives such stolen property and facilitates the perpetrators of such offenses to conceal and dispose of such stolen property. In these circumstances, she states that Sections 317(2) and 317(4) of the BNS were added as against him. She submits that this is a serious offense and part of the stolen property is recovered from the Applicant which clearly demonstrates his complicity in the crime. She thus prays that the application be rejected.

6. I have heard learned Counsel appearing for the respective parties and perused the record with their assistance.

7. Admittedly, the role of the Applicant is that he has received stolen property from the principal accused and has facilitated the conversion of the ornaments into another form. Although Ms. Malhotra has canvassed that the Applicant habitually facilitates such crimes, there is no material on record at this stage to *prima facie* come to the conclusion that the Applicant was well aware that the property sold to him

was stolen. In these circumstances, I am inclined to grant bail to the Applicant on the following conditions:

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.75,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court.
- iii) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;
- iv) The Applicant shall not leave India, without permission of the trial Court;
- v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

- vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- vii) The Applicant to co-operate with the conduct of the trial;
- viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

8. Application is allowed in the above terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)