



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

BAIL APPLICATION NO. 141 OF 2026

YOGESH RAVINDRA UDAVANT
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Balbhim R. Kedar
APP for Respondent : Mr. A. R. Kale

...
WITH CRIMINAL APPLICATION NO. 571 OF 2026 IN BA/141/2026

PRAMOD EKNATH DHAMNE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant/Informant : Mr. Y. H. Jadhav

CORAM : SACHIN S. DESHMUKH, J.

DATE : 12-02-2026

PER COURT:-

1. The applicant seeks bail in connection with Crime No.0331 of 2025 dated 25.11.2025 registered with Kopergaon Police Station, Taluka Kopergaon, District Ahmednagar, for the offences punishable under Sections 305(a), 331(3), 331(4), 317(2), 317(4), 61(2) of the *Bharatiya Nyaya Sanhita, 2023*. In the said crime, the applicant is arrested on 29.11.2025.

2. It is case of the prosecution that on 23.11.2025, the informant after locking the house and went to another village to attend the marriage. On 24/11/2025 at about 8.30 am the informant received phone call of neighbor intimating that door of

his house is open. Thereupon, informant instructed his neighbor to visit his house and to see what happens as he did not turn up to the home. Thereupon, the said neighbor visited the house and noticed door was partially opened and lock was broken and laying in front of door. The said neighbor entered into the bedroom and noticed that doors of cupboard were broken and articles kept therein were scattered. When the said neighbor reported this fact to the informant and then informant made phone call to the police. Immediately, police visited the spot of incident with a sniffer dog squad, finger print squad, forensic team.

3. According to the informant, there was theft of 4 golden bangles having total weight 10 tola worth of Rs.2,70,000/-, Golden Ganthan of 4 Tola worth of Rs.2,40,000/-, Golden necklace of 5 tola worth of Rs.3,00,000/-, golden rings 5 in numbers of 2.5 tola each having value Rs.1,50,000/- and other golden ornaments like ear rings, cash amount of Rs.2,75,000/-, golden coins and some silver items total value of Rs.21,00,000/-. Hence, the report.

4. Subsequently, present applicant/accused came to be arrested and produced before concerned Judicial Magistrate First Class with remand report dated 03/12/2025. In the said remand report the status of the co-accused Mahesh (brother of present applicant/accused) is shown as absconding accused.

5. The learned counsel for the applicant submits that there is no nexus between the present applicant and the co-accused, and

no recovery has been made from his possession. Although the applicant has been charged under Section 317(4), there is no incriminating material against him. Furthermore, the applicant has no connection with co-accused Shital Dada Kale or his brother, Mahesh Ravindra Udavant. The applicant has been in police custody since 29/11/2025, further interrogation is not required. The co-accused Mahesh is granted interim protection from arrest by the Honourable High Court in A.B.A.No.2269 of 2025, dated 23.12.2025.

6. The learned A.P.P. and the learned counsel for the informant strongly opposed the application, contending that the applicant is a habitual offender who, acting as a goldsmith, purchased stolen jewelry from co-accused Kapil Pimple and others with knowledge of its stolen origin. They submit that 18 tolas of gold were sold to the applicant in collusion with the other accused, and his continued incarceration is essential for the recovery of the muddemal. Hence, prayed for the dismissal of the present application.

7. Having heard the respective counsel from both the sides and upon perusal of the material on record, including the charge sheet, indicates that the present applicant, a goldsmith by profession, is alleged to have purchased stolen gold from the wife of accused No.1. While the prosecution alleges his involvement in relation of disposal, the records suggest that the necessary recovery of the

muddemal has already been obtained by the Investigating Officer.

8. The mere fact that the applicant is found to be in custody of property alleged to be stolen does not, at this stage, automatically establish a conspiracy or prior meeting of minds for the commission of the primary offence. As a professional goldsmith, the applicant's possession of gold must be weighed against his regular course of business, and an inference of collusion or criminal involvement cannot be drawn solely from such possession without more corroborative evidence.

9. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

10. Hence, the order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Yogesh Ravindra Udavant, be released on bail, upon furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like

amount, in connection with Crime No.0331 of 2025 dated 25.11.2025 registered with Kopargaon Police Station, Taluka Kopargaon, District Ahmednagar, for the offences punishable under Sections 305(a), 331(3), 331(4), 317(2), 317(4), 61(2) of the *Bharatiya Nyaya Sanhita, 2023*, on the following conditions :-

- (a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.
 - (c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Criminal Application No.571 of 2026 stands disposed of.
- (iv) Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

[SACHIN S. DESHMUKH]
JUDGE