



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.336 OF 2026**

Mithun s/o Shivaji Rathod
Age: 32 years, Occ: Agriculture,
R/o: Naldurg, Taluka Tuljapur,
District: Osmanabad. ..Applicant

Versus

The State of Maharashtra,
Through Naldurg Police Station,
District Osmanabad. ..Respondent

...

Mr. P. P. Giri, Advocate for Applicant.
Mr. P. P. Dawalkar, APP for Respondent.

...
**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 10th MARCH, 2026**

ORDER:-

1. The applicant seeks regular bail in connection with Crime No.398/2025 registered with Naldurg Police Station, Dist. Osmanabad for offences punishable under Sections 316(5), 317, 331(4), 305, 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.
2. The investigation was set in motion on the basis of information given by Umesh Bhanudas Jadhav, Manager of Disha Nagari Sahakari Pat Sanstha alleging that one Rahul Rajendra Jadhav was working as Clerk in his Pat Sanstha. On 07.11.2025, informant had been to Hyderabad and instructed Rahul to take care of safety locker. On 08.11.2025, Rahul told informant that main shutter of Pat Sanstha was open and lock is removed. When informant reached to office and inspected CCTV footage, it was

revealed that on 07.11.2025 Rahul closed shutter putting lock. At about 2.00 pm stranger opened shutter and stolen gold ornaments of 4.762 kilogram and cash amount of Rs.2,21,000/-. Rahul Jadhav confessed his guilt and stated that he had handed over keys of shutter to one Sushil Rathod, who committed offence.

3. On the basis of aforesaid information, crime has been registered and applicant came to be arrested on 13.01.2026. Only allegation against applicant is that he was found in company of accused Sushil Rathod on 08.11.2025. Then on 10.11.2025 he accompanied Sushil to Tirupati.

4. In light of material available on record, it can be observed that there is nothing to demonstrate that applicant has actively participated in commission of offence. It is true that he was found in company of main accused after commission of offence. However, no specific role is discernible from investigation papers that would depict complicity of applicant in commission of offence. There is nothing to show that applicant had conspired with main accused in commission of offence or he helped in disposal of property. Nothing is brought on record to show that applicant was beneficiary of stolen property.

5. The applicant is behind bar since 13.01.2026. The investigation is complete. No criminal antecedents to discredit of

applicant are brought to notice of this Court. Hence, further detention of applicant is not necessary. Resultantly, case is made out for grant of bail subject to certain conditions. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Mithun s/o Shivaji Rathod be released on bail in Crime No.398/2025 registered with Naldurg Police Station, Dist. Osmanabad for offences punishable under Sections 316(5), 317, 331(4), 305, 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand only) on following condition:
 - a. The applicant shall not tamper with prosecution evidence in any manner.
 - b. The applicant shall attend each and every effective date before the Trial Court.
 - c. The applicant shall not indulge in criminal activity.
- (iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE