IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 728 OF 2026

Ajay Foujdar Rathod ...Applicant
Versus
The State Of Maharashtra And Anr. ...Respondents

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Adv. Ramnik P. Pawar a/w Adv. Samadhan V. Mahamulkar, Adv. Ruturaj Patil and Adv. Amit Waykool, Advocate for Applicant.
Ms. Ashvini A. Takalkar, learned APP for the Respondents-State.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 22nd OCTOBER, 2026.

P.C. :

Heard.

2. By this application, the applicant is seeking regular bail in Crime No.175 of 2026, registered with Satara City Police Station, Tal. Satara, Dist. Satara, for the offence punishable under Section 310(2) of Bhartiya Nyaya Sanhita, 2023.

3. The applicant is arrested on 01.03.2026. The Charge-Sheet is filed on 19.05.2026.

4. It is reported to the police that the informant is the jeweler, runs a shop and he used to send the ornaments to Mumbai through New

Laxmi Air Parcel Courier. On the date of event, when one Komalsingh Parihar was to transport the goods to Mumbai, he was apprehended by unknown persons. He was assaulted and the bag containing the melted gold was snatched from him.

5. Learned counsel for the applicant submits that the applicant is not involved in the offence in question and there is no material to connect him to the crime. He was not amongst the identified persons who was seen in the car. My attention is invited to the recovery panchanama and the transcript. It is further submitted that test identification parade was conducted but the applicant has not been identified.

6. Learned APP would invite my attention to the recovery panchanama and the transcript of CCTV footage of the camera installed at the petrol pump disclosing the presence of the applicant in the white car which was later on apprehended at Shirpur, Dist, Dhule. It is submitted that the applicant was acting in collusion with the co-accused who committed robbery. The applicant has played an active role and he is not entitled to bail. It is informed that recovery of the articles has been made at the instance of accused No.1.

7. The recovery panchanama of the CCTV footage installed at the petrol pump would disclose that on 27.02.2026, four persons stepped down from the car and the applicant is seen sitting inside the car. The

further recovery panchanama of the still images of the camera installed at the petrol pump would disclose that only four persons were seen getting down from the car. The presence of the applicant in the car at the relevant time is a disputed question of fact. A full-fledged trial is required to identify the culpability of the applicant.

8. The recovery of the articles has been made at the instance of the accused No.1. The test identification parade so far as the applicant is concerned does not corroborate the prosecution case. There is no direct material to show involvement of the applicant in the offence. He is behind bars for sufficient time and investigation is also complete. Hence, I pass the following order:

::ORDER::

(i) Bail Application is allowed.

(ii) Applicant shall be released on bail in Crime No.175 of 2026, registered with Satara City Police Station, Tal. Satara, Dist. Satara, for the offence punishable under Section 310(2) of Bhartiya Nyaya Sanhita, 2023 on furnishing P.R. bond of Rs.50,000/- with one or more solvent sureties in the like amount on the following conditions :

(a) The applicant shall not tamper with the prosecution evidence and contact the prosecution witnesses.

(b) The applicant shall furnish contact number of himself

or his closed relative/friend.

(c) The applicant shall furnish his contact number to the Investigating Officer.

(d) The applicant Shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.

(e) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(iii) Bail application is disposed of accordingly.

[SHAILESH P. BRAHME, J.]