

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

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.104 OF 2026

Amol Mahadev Jojare

... Applicant

Versus

The State of Maharashtra and another

... Respondents

Mr. Meghdeep Milind Oak, for the Applicant.

Mr. S.H. Yadav, A.P.P, for Respondent – State.

Mr. Amol Suresh Mane, Police Head Constable, Barshi City present.

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CORAM : M. W. CHANDWANI, J.

DATE : 4th May, 2026.

P. C. :

1. The applicant is apprehending arrest in connection with Crime No.252 of 2025 registered with Barshi City Police Station, District Solapur for the offences punishable under Sections 305 (a) and 331 (2) of the Bhartiya Nyaya Sanhita, 2023.

2. Heard the learned counsel for the applicant and the learned A.P.P, for the non-applicant – State. I have gone through the case diary.

3. It appears that co-accused Firoz Rahaman Shaikh and Ashapak Aasef Shaikh were arrested in the aforesaid crime, which has been registered at the instance of the complainant – Madanrao Mohanrao Patil.

4. It is revealed from the First Information Report that a house-breaking incident occurred during the intervening night of 6th March 2025, wherein gold and silver ornaments valued at Rs. 3,11,000/- were allegedly stolen by unknown persons. During the course of investigation, the aforesaid accused came to be arrested. It further transpired that apart from the present offence, the accused were involved in several other incidents of house-breaking and theft of gold ornaments and other valuable articles. The investigation also revealed that the stolen gold ornaments were subsequently sold to the present applicant– a jeweller, who is running his business under the name and style of ‘New Amol Jewellers’.

5. Perusal of the case diary reveals that two witnesses viz: Bushara Aagaamir Khan and Iyfaj alias Munna Anis Shaikh, to whom the co-accused had handed over the ornaments for sale, have stated that they went to the applicant and sold the said gold ornaments to him. It is not the case of the applicant that he was unaware of the fact that the ornaments were stolen; however, his contention is that he has not purchased the said gold ornaments

from these witnesses. Thus, there is *prima facie* material available in the case diary indicating that the witnesses to whom the co-accused had handed over the ornaments for sale, sold the same to the applicant. The stolen property is yet to be recovered.

6. Having considered the material placed on record against the applicant and having regard to the stage of investigation, this Court is of the view that custodial interrogation of the applicant is necessary to effect recovery. In view thereof, no case is made out for grant of the extraordinary relief of anticipatory bail. The application, therefore, stands rejected.

[M. W. CHANDWANI, J.]