

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

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 181 OF 2026

1. Suresh @ Gavalya Papa Gosavi

2. Mehool Rajesh Gosavi

... Applicants

Versus

The State of Maharashtra and anr.

... Respondents

Mr. Muralidhar Kharat a/w Samrat Kurlekar for the Applicants.

Mr. Nitin B. Patil, A. P. P. for the Respondent-State.

Mr. Sambhaji Bhoskar, PSI Shivajinagar Police Station present.

CORAM : M.W. CHANDWANI, J.
DATE : 29th April, 2026.

P. C. :

1. The Applicants are apprehending arrest in connection with Crime No. 13 of 2026, registered with Shivajinagar Police Station, District Kolhapur, for offences punishable under Sections 334(1) and 305(a) of the Bharatiya Nyaya Sanhita, 2023.

2. Heard the learned counsel for the Applicants and the learned APP for the Respondent-State. I have gone through the case diary.

3. It appears that the complainant, Firoz Jamil Khan, is a scrap merchant having a tin shed godown at Village Chandur, Taluka Hatkanangale, District

Kolhapur. As per the First Information Report, the complainant came to know about an auction conducted by MSEDCL, Ratnagiri, for old transformers. Accordingly, on 27.10.2025, he deposited an amount of Rs. 4,00,000/- through RTGS and participated in the auction. On 28.10.2025, he was allotted a 3.15 MVA old transformer and subsequently, he transferred an amount of Rs. 14,67,991/- through RTGS.

4. It is further stated that on 29.12.2025, the complainant transported the said transformer from Village Dhartale, District Ratnagiri, to his godown at Village Chandur. The transformer weighed approximately 1200 kg. It is alleged that the transformer was dismantled and copper sheets were stored in 20 polythene bags. The complainant has employed approximately 20 workers at the said godown.

5. On 07.01.2026 at about 9:00 a.m., one of the workers, namely Tameem Desai informed the complainant that the tin sheet of the godown has been tampered with. Upon reaching the godown, the complainant found that out of 20 bags, 9 bags containing copper sheets were missing. It is alleged that approximately 540 kg of copper sheets, valued at Rs. 5,94,000/-, were stolen. Accordingly, the present offence came to be registered against unknown persons.

6. During the course of investigation, four accused persons out of six came to be arrested. It was revealed that the stolen copper was sold to

Accused No. 6, namely Vikas Gosavi, who was also arrested. In his confessional statement, he stated that the three arrested accused, along with the present Applicants, had sold the stolen copper to him. Consequently, the names of the present Applicants surfaced in the crime.

7. Apart from the statements of the co-accused including Vikas Gosavi, there is no other material presently available in the case diary indicating the involvement of the present Applicants. The copper allegedly sold to Accused No. 6 has already been recovered.

8. Considering the fact that most part of the investigation is over; the material available against the Applicants; and the fact that the stolen property has been recovered, a case is made out for grant of anticipatory bail.

9. Hence, the following order:

::ORDER::

- a) Anticipatory Bail Application is allowed.
- b) In the event of arrest of Applicant No. 1 – Suresh @ Gavalya Papa Gosavi and Applicant No. 2 – Mehool Rajesh Gosavi, in connection with Crime No. 13 of 2026 registered with Shivajinagar Police Station, District Kolhapur, for offences punishable under Sections 334(1) and 305(a) of the Bharatiya Nyaya Sanhita, 2023, they shall be released on bail upon furnishing a PR. bond of Rs. 25,000/- each with one solvent surety each in the like amount.

- c) The Applicants shall attend the concerned police station every Friday and Tuesday between 10:00 a.m. and 12:00 noon for a period of four weeks from the date of this order and shall cooperate in the investigation.
- d) The presence of the Applicants before the Investigating Officer, until filing of the charge-sheet, shall be treated as custody within the meaning of Section 23 of the Bharatiya Sakshya Adhiniyam.
- e) The Applicants shall not tamper with the prosecution evidence or threaten the prosecution witnesses and shall fully cooperate in the investigation.
- f) With these directions, the Application stands disposed of.

[M.W. CHANDWANI, J.]

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