

MHAU160004562026



Criminal Bail Application No. 35 of 2026

Kabai @ Kapbai Dagadu Bhosale

Vs.

The State of Maharashtra

ORDER BELOW EXH.1

Applicant - **Kabai @ Kapbai Dagadu Bhosale** filed this application for grant of anticipatory **bail** under Section **482** of the Bhartiya Nagrik Suraksha Sanhita in connection with crime vide C.R.No.I-**63/2026** under Sections 305(a) and 331(3) of the Bhartiya Nyaya Sanhita, registered at **Gangapur Police Station, Tal. Gangapur, Dist. Chhatrapati Sambhajnagar.**

[2] Brief facts of the prosecution case are as under :-

Informant – Satyavan Misal alongwith his family is residing in his house situated at land Gut No.197 at village Manjari. On 17.02.2026 at about 9.00 a.m. he went for watering onion crop. At that time, he applied lock to the door of his house. At about 2.00 p.m. when he alongwith his family members came back home, he found the lock was broke open. After entering into the house he found that clothes and other documents in his house were scattered. He also found that, locker of the cupboard was also opened and cash

of Rs.55,000/- and gold nose ring worth of Rs.10,000/- kept in the locker were missing. Therefore, he lodged FIR. Accordingly, crime vide CR No.I-63/2026 came to be registered.

[3] During the investigation, police arrested accused No.1 Darya Bhosale on the basis of tower location of his mobile phone. During the interrogation said accused disclosed name of the applicant to be an accomplice. Therefore, the applicant has apprehension of her arrest in this crime. Hence, she has filed this application for grant of anticipatory bail.

[4] I have heard both the sides and perused the material placed on the record.

[5] Generally, in the cases where some unknown persons committed theft or looted valuable property from the victims, in such cases to connect the accused persons to the crime, first of all there must be adequate description of such unknown person in the FIR. Secondly, during the investigation, stolen property should have been seized from the particular accused, and thirdly, any such accused should have been identified by the witnesses during test identification parade.

[6] In the present case it appears that, during the investigation on the basis of tower location of the mobile phone used by accused Darya Bhosale, he was arrested. During the interrogation it is found

that, the SIM Card inserted in the mobile phone of accused Darya was standing in the name of the present applicant. Moreover, accused Darya disclosed name of present applicant to be an accomplice. So also, stolen property i.e. gold nose ring yet to be recovered.

[7] Therefore, considering the above mentioned facts and circumstances, I am of the opinion that, for the purpose of recovery of gold nose ring and for the purpose of further investigation, custodial interrogation of the applicant appears to be necessary. Hence, it is not be just and proper to grant her anticipatory bail. In the result, the application deserves to be rejected. I, therefore, pass the following order. :-

ORDER

Application is rejected.

Date:- 12.03.2026

(S.B. Bahalkar)
Additional Sessions Judge,
Gangapur.
Dist: Chhatrapati Sambhajanagar