

CNR.No.MHCH01-0012472026



Order below Exh.1

1. By the present application preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the applicant/accused **Darshan Ashok Telang** seeks his release on bail in connection with C.R.No.516/2026 registered with Ballarpur Police Station, Tq. Ballarpur, Dist. Chandrapur, for the offences punishable under Sections 331(3), 331(4), 305 of the Bharatiya Nyaya Sanhita, 2023.

2. The prosecution case, in brief, is that the informant Mahadeo Zinguji Kale, R/o. Ballapur, Tah. Ballarpur, Dist. Chandrapur approached Ballapur Police Station on 26.04.2026 and lodged the report to Police Station Ballapur stating that he had gone to Chandrapur on 24-04-2026 for medical treatment of his wife. On 26-04-2026, upon returning home he noticed that the lock of his house had been broken and the jewellery articles inside the house were found stolen. The drawer of the table was broken, so also one cupboard was also opened.

3. On verification of the house it was found that gold ornaments and jewellery valued Rs.14,96,000/- was missing. Therefore, Crime No.516/2026 came to be registered against the unknown person. During the investigation, CCTV Footage from the vicinity of the spot of incident was collected and prosecution claims that involvement of the present applicant surfaced during investigation. The applicant came to be arrested on **02.05.2026** and is

presently in judicial custody. The application for bail filed by the by applicant came to be rejected by the Ld. Judicial Magistrate First Class, Ballarpur on **08.05.2026**.

4. The Ld. Advocate for the applicant/accused submitted that the applicant is innocent and has been falsely implicated in the present crime. It is argued that, the applicant is not named in FIR. It is also argued that, there is no recovery of any stolen articles from the accused. It is also submitted that the accused is in judicial custody for more than one month. Therefore, the Ld. Advocate for the accused prayed that the accused be released on bail.

5. I have perused the say filed by the prosecution at Exh.6. The Ld. APP Shri Degawar strongly opposed the application. It is submitted by him that the offence is serious in nature and involves theft of valuable jewellery. It is further submitted that CCTV Footage has collected during investigation has been sent for forensic examination. It has also been pointed out by the Ld. APP that several cases are pending against the accused registered in the past.

6. At the stage of deciding the bail application this Court is not expected to undertake detailed evaluation of evidence. The Court is expected to ascertain whether there exists reasonable ground for further detention of the accused pending investigation or trial.

7. Perusal of FIR shows that, it has been lodged against the unknown persons. The name of the accused has emerged during investigation. It is also not disputed that, no stolen property has been recovered from the possession of the accused/applicant. The prosecution has not placed before this Court material showing the recovery of the stolen ornaments is yet to be made from the accused.

8. The applicant is in judicial custody for more than one month. The investigation appears to have progressed and the presence of applicant can be secured by imposing appropriate conditions.

9. The prosecution has raised apprehension that there are criminal antecedents of the accused/applicant. However, no material has been produced to show that accused/applicant has been convicted in any of those cases. Mere pendency of criminal cases though relevant, it cannot by itself constitute a ground to deny the benefit of bail.

10. I have considered the nature of accusations, the period of custody already undergone, absence of recovery from the accused/applicant and the fact that apprehension of the prosecution can be addressed by imposing stringent condition. I am of the opinion that the accused/applicant deserves to be enlarged on bail. Hence, following order is passed.

	<u>ORDER</u>
1)	The Cri. Bail Application No.320/2026 is hereby allowed.
2)	The applicant/accused Darshan Ashok Telang shall be released on bail in connection with C.R.No.516/2026 registered with Ballarpur Police Station, Tq. Ballarpur, Dist. Chandrapur, for the offences punishable under Sections 331(3), 331(4), 305 of the Bharatiya Nyaya Sanhita, 2023, on his furnishing P.R. Bond of Rs. 30,000/- (Rupees Thirty Thousands Only) with one or two solvent surety in the like amount.

3)	The applicant/accused shall attend the Ballarpur Police Station on first Monday of every month between 11.00 to 01.00 pm for a period of 6 months or till filing of the charge-sheet, whichever is earlier. The applicant/accused shall cooperate with the investigation.
4)	The applicant shall not directly or indirectly make any inducement, threat or promise to any prosecution witness and shall not tamper with the prosecution evidence in any manner.
5)	The applicant shall not leave the territorial jurisdiction of Chandrapur District without prior permission of the Court.
6)	The applicant shall furnish his permanent address and contact details to the Investigating Officer and shall intimate any change thereof immediately.
7)	In case of breach of any of the above conditions, the prosecution shall be at liberty to move for cancellation of bail.
8)	Observations made herein are strictly limited to the adjudication of this bail application and shall not influence the merits of the trial.
9)	The Bail Application stands disposed of accordingly.
	(Pronounced in open Court on this 8 th day of June, 2026.)

Sd/-

Date : 08.06.2026

(J. V. Muthal)
Additional Sessions Judge,
Chandrapur.