

B. A. No. 945 of 2025

CNR No.MHMM18-004069-2025

B. A. No. 956 of 2025

CNR No.MHMM18-004088-2025

COMMON ORDER BELOW BAIL APPLICATIONS

(Along with order on application for return of property)

IN C. R. NO.398/2025 (Bandra P.S.)

1. By way of both these applications, filed under Section 480 of Bharatiya Nagarik Suraksha Sanhita, for short B.N.S.S., the accused persons sought bail contending that they are innocents and falsely dragged into matter. The investigation is over. They are ready to remain abide by the conditions. The property already recovered, besides other grounds.
2. Investigating Officer and Ld. A.P.P. objected to bail applications mainly on the grounds that allegations are serious. Huge stake involved. Investigation is incomplete. Active role of both the applicants transpired in the matter. There is possibility of tampering and absconding of accused, etc. Hence, applications shall be rejected.
3. At the same time the informant/victim also filed application for return of property, seized during investigation. Ld. A.P.P. and Investigating Officer has not objected to this prayer. Accused persons also submitted that they had no objection to return the articles seized.
4. It is alleged that an unknown person entered into the house of informant and stolen several articles and certain cash, totaling of value of about Rs.2 crores Plus. Investigation started and it is transpired that applicant Mr. Arya Pratap Nag @ Deepak Pratap Dhru, committed the act and kept the valuables with applicant Mr. Ravindrakumar Gupta @ Salman Shaikh.
5. During investigation almost all the property allegedly stolen has been recovered at the instance of applicant Mr. Arya Pratap Nag, from the custody

of Mr. Ravindrakumar Gupta. As such it can not be said that applicants are innocent. The applicant Mr. Ravindrakumar, submitted that he was not aware of the booty, kept with him. Such statement in respect of huge stake involved, can not be accepted and it can not be said that he is absolutely innocent.

6. The investigation is incomplete. Stake involved is high. One of the applicant is having criminal antecedents. Both are residents of other States. There is every possibility of tampering and absconding. Considering seriousness of the matter, it's stage and other facts and circumstances none of the reasons assigned justifies the bail prayer, therefore, both the applications needs to be rejected.

7. At the same time in view of no objection given by Ld. A.P.P. and Investigating Officer, it can be inferred that investigation relating to property seized is over. Considering this aspect and reasons assigned in an application for return of property, it needs to be allowed.

8. In view of above observations following order -

ORDER

a. Both the bail applications rejected.

b. The application filed by informant Mr. Samarth Suresh Bajaj, is allowed and the Investigating Officer/P.S.O. Bandra, Mumbai, is herewith directed the custody of all the articles and cash seized to the informant on his executing Indemnity Bond of Rs.2 crores, before Investigating Officer.

c. All the above applications disposed off.

MUMBAI

DATE – 07.04.2025

(KOMALSING RAJPUT)

J.M.F.C., 12TH COURT, BANDRA, MUMBAI