

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1755 OF 2017**

Vinay Premnarayan Tiwari	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. Milan A. Hebbali for the Applicant

Ms. J. S. Lohokare, A.P.P for the Respondent-State

PSI Mr. B. L. Rathod from Palghar Police Station, is present

CORAM : REVATI MOHITE DERE, J.
MONDAY, 21st AUGUST, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-128 of 2017 registered with the Palghar Police Station, for the alleged offence punishable under Section 420 r/w Section 34 of the Indian Penal Code and under Section 3 of the MPID Act.

3. Learned Counsel for the applicant submits that the applicant has been falsely implicated in the said case. He submits that at no point of

time, the complainant had met the applicant and nor has the applicant anything to do with the company – Coinye Coin Pin. He submitted that only because the accused No. 3 - Shivaji Tope, when asked, had disclosed to the complainant, that the applicant is the owner of the said company- Coinye Coin Pin, the applicant was arrested.

4. Learned A.P.P, on instructions, states that the applicant is not the owner of Coinye Coin Pin nor there are any allegation to show the complicity of the applicant in the aforesaid offence, in the investigation carried out so far.

5. Perused the papers. According to the complainant-Purshottam Kanojiya, he was asked to invest money in coinynecoin.com website. He has alleged that Shivaji Tope told him that if he invested money in the said coinynecoin.com, he would derive huge chunk of profit through the said website. When the complainant sought more information from the said website, Shivaji Tope allegedly disclosed the name of the applicant as being the owner of the said website. Pursuant thereto, the applicant was arrested. The applicant is not the owner of the Coinye Coin Pin.

6. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station as and when called;
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (v) The applicant to cooperate with the conduct of the trial.

7. The application is accordingly disposed of.
8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.