

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 189 OF 2019

Vinit Singh S/o Ramchandra Singh	... Applicant
Vs.	
The State of Maharashtra	... Respondent

**WITH
CRIMINAL APPLICATION NO. 143 OF 2019
IN
ANTICIPATORY BAIL APPLICATION NO. 189 OF 2019**

Kishore Raju Amin	... Intervenor.
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In the matter between

Vinit Singh S/o Ramchandra Singh	... Applicant
Vs.	
The State of Maharashtra	... Respondent

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Mr. Samir Shisale for the intervenor.
Mr. S.R. Agarkar, APP for the Respondent-State.
Mr. Gurav, PSI, Amboli Police Station is present.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 7th FEBRUARY, 2019.**

P.C.

1. Application was heard on 31st January, 2019. When the Court was not inclined to grant any relief in this application, learned counsel for the applicant sought time to take instructions, hence the matter was kept for passing order.
2. None appears for the applicant. Applicant is seeking anticipatory bail in connection with CR No. 416 of 2018 registered

with Amboli Police Station for the offence punishable under Sections 420 read with 66(c), 66(d) of Information Technology Act.

3. The case of the prosecution is that complainant was working as a Assistant General Manager of Mogavira Co-operative Bank, Andheri. He was informed that on 27th September, 2018 there were six transactions conducted by using RTGS for a total amount of Rs.68,85,961/-. He expressed suspicion about the said transaction, hence the same was scrutinized and it was found that the transactions were done by using ID and Password of Kandivali branch clerk Kritika Kundar and Junior Officer Aasha Shreyan. On enquiry it was found that they have not conducted such transactions. Again, there was transaction on the same day. Hence, the First Information Report was lodged.

4. Applicant had preferred an application for anticipatory bail before the Sessions Court which was rejected.

5. Contention of the applicant is that he has been falsely implicated in this case. He is not beneficiary of the amount. Amount has been withdrawn from the account of the accused No.1. Entire case is based on the documentary evidence and therefore custodial interrogation of the application is not

necessary.

6. Learned APP and the counsel for the intervenor submitted that the offence is of serious nature, there is sufficient evidence against the applicant showing his involvement in the crime.

6. I have perused the document on record. The co-accused Rohit Singh had opened the account in the bank at the instance of the applicant. Applicant had instructed the co-accused to withdraw the amount of Rs.2,50,000/- from the said account. Co accused had withdrawn the amount and handed over the same to the applicant. Prosecution had seized nine cheque books and three credit cards from the house of co-accused Rohit Singh. It is also found that four cheques were found in the name of applicant. Investigation is in progress. Considering the evidence collected during the investigation no case for grant of anticipatory bail is made out. Hence, Anticipatory Bail Application is rejected. Anticipatory Bail Application No. 189 of 2019 and Criminal Application No. 143 of 2019 stands disposed off.

(PRAKASH D. NAIK, J.)