

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 373 OF 2021

Utsav Chandrama Prasad Mishra ... Applicant
Versus
The State of Maharashtra ... Respondent

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Mr. A. K. Tiwari i/b. A. K. Tiwari & Associates Advocate for the Applicant.

Ms. Veera Shinde, APP for the Respondent – State.

Mr. J. N. Mate, P. I. M.H.B. Police Station, Mumbai Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 16th FEBRUARY, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 711 of 2020 registered with MHB Police Station, Mumbai for offence under Section 420 of Indian Penal Code. The FIR was lodged on 20th October, 2020.

2. It is alleged that from 12th December, 2019 to 19th December, 2019 the person named Gautam Kulkarni had called the complainant on cell phone and represented that loan can be provided to him. The amount of Rs. 75,000/- was collected for sanctioning loan amount. During the course of investigation it was revealed that the applicant has provided 8 to 10 sim cards which were used in commission of crime.

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3. Learned counsel for the applicant submits that the applicant has not played any role. He is not involved in the crime. He has not sent any messages.

4. On perusal of the investigation papers, the complicity of the applicant is disclosed. There is sufficient evidence against the applicant. His custodial interrogation is necessary. He was instrumental in providing sim cards used in commission of crime. He had knowledge of fraudulent acts of co-accused and participated in crime with them. Hence, I pass the following order:

ORDER

Criminal Anticipatory Bail Application No. 373 of 2021
is rejected and stands disposed of accordingly;

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)