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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2806 OF 2021**

NILESH DATTATRAY DANDEKAR

....Applicant.

V/s

THE STATE OF MAHARASHTRA

.....Respondent

Mr. Shailesh Kharat for the Applicant.

Mr. A. R. Kapadnis, APP for the Respondent/State.

API Vivek Tambe, Malad Police Station, present.

CORAM: NITIN W. SAMBRE, J.

DATE: DECEMBER 13, 2021

P.C.:-

1] Applicant is seeking pre-arrest bail in Crime No.750 of 2021 registered with Malad Police Station, Mumbai for the offence punishable under Sections 408, 419, 420, 465, 467, 468, 471, 381 and 34 of the Indian Penal Code.

2] Prosecution case is, Applicant who is working as Accountant with the Accused Satish Kadam in a Proprietary Firm has illegally withdrawn/diverted the amount.

4] It appears from the record that the Applicant has furnished KYC documents including mobile number for the purpose of operation of Account in which amount involved in the offence was received. Applicant thereafter received the amount from co-accused Kalpesh and

transferred the same. Complicity of the Applicant as such can be inferred in crime particularly when he has permitted misuse of his own mobile number which is used for generating transactions and also OTPs. As such, Applicant has facilitated other Accused in commission of crime. Apart from above, objectionable bank entries are noticed depicting Applicant having received amount in his Account from co-accused Kalpesh, who is already arrested. That being so, no case for bail is made out.

5] Application stands rejected.

(NITIN W. SAMBRE, J.)