

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

CRIMINAL BAIL APPLICATION NO. 1933 OF 2022

Dilawar Noor Mohammad Shaikh ...Applicant

Versus

State Of Maharashtra ...Respondent

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Mr. Mohammad Saifan Mulla, Advocate for the Applicant.

Ms. P. N. Dabholkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 18th OCTOBER, 2022

PER COURT:

1. This is an application for bail in connection with C.R. No. 356 of 2019 registered with Warje Malwadi Police Station, Pune for offences punishable under Sections 419, 420 read with 34 of the Indian Penal Code and Sections 66(C) and 66(D) of the Information Technology Act.

2. The case of the prosecution is that one Merry Johnson and one Robert and others induced the complainant to enter into partnership business on the allurements of monetary returns and on the false assurances, forced the complainant to purchase the Herbal Liquid Oil from the local dealer Ms. Shivani Patil. Offence was registered.

Investigation is completed and charge-sheet is filed.

3. Learned advocate for the applicant submitted that only role ascribed to the applicant is that the panchanama dated 23.12.2019 indicate that the police saw in the mobile of the applicant that he had forwarded the poster of alleged oil to the co-accused Anthony Gaji. The applicant has been implicated being brother of Manju Shaikh.

4. The applicant is in custody for a period of 2 years and 9 months. Charge-sheet is filed. Trial has not commenced. Considering the role attributed to the applicant and the fact that all the offences are triable by the Magistrate, bail can be granted to the applicant.

ORDER

(i) Criminal Bail Application No.1933 of 2022 is allowed;

(ii) The applicant is directed to be released on bail in connection with C.R. No. 356 of 2019 registered with Warje Malwadi Police Station, Pune on executing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant is permitted to furnish provisional cash bail security in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.

(iv) The applicant shall report concerned Police Station once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;

(v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)