

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2729 OF 2022

Pritam Kumar Nayek ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. Rajesh Kumar i/b Mr. Sandesh Jadhav for the Applicant.
Mr. Amit Palkar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 14.12.2022.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 550 of 2021 registered at Chaturshrungi Police Station, Pune city for the offences punishable under Sections 419, 420 read with 34 of the Indian Penal Code (IPC) and Sections 66-C and 66-D of the Information Technology (Amendment) Act, 2008 (IT Act).
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. According to the complainant, during the period from January 2017 to April 2021, the co-accused in the present crime had induced her to deposit amount of Rs.85,69,160/- in different bank on the pretext that they would get her husband appointed as Vice President in Eton/ABC company. As regards the present applicant,

it is alleged that out of the said amount of Rs.86,69,160/-, the co-accused in the present crime had transferred an amount of Rs.59,200/- in the bank account of the present applicant.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that pursuant to the order passed by this Court dated 12 October 2022, the applicant attended the concerned police station and explained the circumstances in respect of receipt of the said amount of Rs.59,200/- in his bank account. It is submitted that considering the facts and circumstances the applicant may be released on anticipatory bail.

6. On the other hand, the learned APP for respondent/ State submits that the applicant is not disputing the receipt of the amount of Rs.59,200/- in his bank account. It is submitted that considering the nature of offence, the applicant may not be released on anticipatory bail.

7. It is not the case of the prosecution that the complainant had deposited the amount of Rs.59,200/- in the bank account of the present applicant. The complainant has not made any allegations against the present applicant. The learned counsel for the applicant submits that the applicant is ready and willing to deposit the said amount of Rs.59,200/- with Investigating Officer. Considering the facts and circumstances, the following order is passed.

ORDER

- A. Anticipatory Bail Application is allowed.
- B. The interim anticipatory bail granted to the applicant by order dated 12 October 2022 is hereby confirmed.
- C. The applicant shall deposit amount of Rs.59,200/- with the concerned Investigating Officer within a period of four weeks from today.
- D. The applicant shall attend the concerned police station as and when called by Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]