

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

ANTICIPATORY BAIL APPLICATION NO. 416 OF 2023

Manojkumar Himmatbhai Amdavadi	... Applicant
v/s.	
The State of Maharashtra	 Respondent

**WITH
INTERIM APPLICATION NO. 709 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO. 416 OF 2023**

Ramesh Popatbhai Patel	... Intervenor
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In the matter between :-

Manojkumar Himmatbhai Amdavadi	... Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Premlal Krishnan i/b. Pan India Legal
Services LLP for the Applicant.
Mr. S.V. Gavand, APP for the State.
Mr. Aniket Nikam for the Intervenor.
Mr. Gawali, IO, BKC Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th JULY, 2023.

P.C. :-

. The Applicant apprehends his arrest in C.R.No.33/2023 registered with Bandra-Kurla Police Station, Mumbai for offences punishable under sections 420 of the Indian Penal Code and sections 43 and 66 of Information Technology Act, 2000.

2. The aforesaid crime was registered pursuant to the FIR lodged by Ramesh Popatbhai Patel, Senior Executive Officer of M/s. Hari Krishna Exports Pvt. Ltd. The Applicant is an ex-employee of the said company. The complainant has alleged that the Applicant had shown in the company's record low price diamonds and sold high price diamonds in the market. It is further stated that the Applicant through one Nileshkumar Vasoya, asked for data of M/s. Hari Krishna Exports Pvt. Ltd. for the marketing of his own business through his office computer, skype, telegram, e-mail, whatsapp. On the basis of these allegations, the aforesaid crime came to be registered.

3. Considering the nature of the offence, this Court by order dated 10/02/2023 read with order dated 17/02/2023, granted interim protection to the Applicant. Learned APP states that the Applicant has co-operated with the investigation and that his mobile phone was sent for forensic analysis. The report does not prima facie support the case of the prosecution. Mr. Nikam, learned counsel for the Intervenor states that there is every possibility of the Applicant submitting some other device instead of the one used by the Applicant for transferring the data. This issue needs consideration on merits and not at this stage.

4. In the light of the above facts and circumstances, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.33/2023 registered with Bandra-Kurla Police Station, Mumbai, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer as and when required ;

(c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers,

and/or change of residence or mobile details, if any, from time to time.

5. The Application for Anticipatory Bail as well as Interim Application stands disposed of in above terms.

**PREETI
HEERO
JAYANI**

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by PREETI
HEERO JAYANI
Date: 2023.07.24
14:46:56 +0530

(SMT. ANUJA PRABHUDESSAI, J.)