

Eshan @ Irfan Shaikh	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

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Mr. Ramprasad Gupta for the Applicant.
Mr. Amit Palkar, APP for the State.
Mr. Rajendra Jaju, complainant, present.

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CORAM : N.R. BORKAR, J.

DATED : 28 APRIL 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 4 of 2022 registered at Cyber Police Station, Pune for the offences punishable under Sections 419, 420, 465, 467, 468, 120(B), 471, 474 of Indian Penal Code and Sections 66(C), 66(D) of the Information Technology Act.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and the complainant who is present in person.

4. According to the prosecution, the present applicant and other co-accused on the basis of false documents had duped the complainant to

the tune of Rs.12,04,073/-.

5. The applicant has tendered Affidavit-cum-undertaking. In the said undertaking the applicant has stated that he is ready to deposit the said amount of Rs.12,04,073/-.

6. The applicant is in jail for about one year. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Eshan @ Irfan Shaikh be released on bail in Crime No. 4 of 2022 registered at Cyber Police Station, Pune for the offences punishable under Sections 419, 420, 465, 467, 468, 120(B), 471, 474 of Indian Penal Code and Sections 66(C), 66(D) of the Information Technology Act, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) Out of the amount of Rs.12,04,073/-, the applicant shall deposit before the trial court the amount of Rs.6 lakhs immediately and rest of the amount within two months from the date of his release.
- (iv) The trial Court shall not issue release warrant unless the said amount of Rs.6 lakhs is deposited by the applicant.
- (v) The applicant shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.