

Darshan Patil

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

BAIL APPLICATION NO.1067 OF 2022

VIJAY KANHAIYALAL GUPTA ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Amardeep Singh a/w Monty Feekchandani i/b Mr. Charan
Pentharia for applicant.

Mr. S.V. Gavand, APP for State.

API Bhalerao, Ambernath Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 2, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for bail by the applicant- Vijay Kanhaiyalal Gupta in connection with C.R. No.I-213 of 2021 dated 25/03/2021, registered with Ambernath Police Station, under sections 420, 409 and 34 of the Indian Penal Code, 1860.
- 3.** The applicant was arrested on 28/03/2021. The applicant is original accused no. 2. The accused no. 1 who

is the main accused has been released on bail. It is alleged that the accused no. 1 was working in the bank. He has transferred sum of monies from the account of the account holders, which were not linked through any mobile numbers, to the account of the applicant (accused no. 2). The amount to the tune of Rs. 11,60,800/- was transferred by the accused no. 1 in the bank account of the applicant.

4. The applicant is a rickshaw driver. The applicant is in custody for more than 1 year 8 months. The charge-sheet has been filed and the investigation is complete. The main accused has been released on bail. On the ground of parity as well as on the ground that the further incarceration of the applicant pending trial is not necessary, the applicant could be released on bail. No criminal antecedents are reported. Hence the following order.

: ORDER :

(a) Applicant- Vijay Kanhaiyalal Gupta shall be released on bail in connection with C.R. No.I-213 of 2021 dated 25/03/2021, registered with Ambarnath Police Station, on furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(b) The applicant shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(c) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(d) The applicant shall report to the concerned police station once in a month i.e. on first Monday between 11.00 a.m. and 01.00 p.m.

5. The Bail Application is disposed of.

(M. S. KARNIK, J.)