

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

BAIL APPLICATION NO.2576 OF 2022

Shahid Ibrahim Vora	..Applicant
VS.	
The State of Maharashtra	..Respondent

Adv. Manish N. Jain a/w Adv. Ritu G. Gahlot i/b. S. M. Jain
Associates for the Applicant.

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

Mr. P. M. Rasam, PSI, Malad Police Station present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 21, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail by the applicant-Shahid
Ibrahim Vora in connection with C.R. No.235 of 2019 dated
17/05/2019 registered with Malad Police Station for the
offence punishable under Sections 465, 467, 468, 471, 419,
420, 406 read with 34 of the Indian Penal Code, 1860 and
under Sections 66(C) and 66(D) of Information Technology
Act, 2000.

3. The applicant is in custody since 23/02/2021 for a

period of two years. The main accused is one Mujib @ Niyaz Shaikh. The FIR is dated 17/05/2019. The complainant alleged that she was introduced to the main accused-Mujib @ Niyaz Shaikh by one of his friend. Mujib @ Niyaz Shaikh promised him that he would help the complainant in getting a loan for his building project for which he charged 10% as the processing fee. Accordingly, an amount of Rs.3 Crores was deposited towards this 10% processing fee by the complainant in different accounts provided by Mujib @ Niyaz Shaikh. So far as the applicant is concerned, he had a bank account in the name of Ashtapad Trade Impex where an amount of Rs.1,21,00,000/- was transferred. At page 35 of the paper book, it is the prosecution case itself that an amount of Rs.1,21,00,000/- was handed over by the applicant to Mujib @ Niyaz Shaikh. It is alleged that the applicant received Rs.1,00,000/- in return for permitting Mujib @ Niyaz Shaikh to utilise his bank account. The allegations are thus mainly against Mujib @ Niyaz Shaikh. The applicant is not the beneficiary. The transaction was between the complainant and Mujib @ Niyaz Shaikh. There

are no criminal antecedents reported against the applicant. The charge-sheet has been filed and the investigation is complete. The applicant is in custody for two years with no likelihood of the trial commencing anytime soon. The applicant can be released on bail.

4. Hence, the following order :-

ORDER

- (a) Application is allowed.
- (b) Applicant-Shahid Ibrahim Vora shall be released on bail in connection with C.R. No.235 of 2019 dated 17/05/2019 registered with Malad Police Station on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs.25,000/- for a period of 6 weeks in lieu of surety.
- (d) 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.

(e) The applicant shall report to the concerned police station once in two months i.e. on first Monday of every alternate month between 11.00 a.m. and 1.00 p.m.

(f) 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.

5. The Bail Application is disposed of.

(M. S. KARNIK, J.)