

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

CRIMINAL BAIL APPLICATION NO. 3017 OF 2022

Bhaskararao Ramulu Yesupogu	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mr. Jagdish S. Singh for the Applicant.
Ms. P. N. Dabholkar, APP, for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th SEPTEMBER 2023.

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P.C. :

1. By this application, applicant is seeking bail in C. R. No. 1 of 2022 registered with DCB CID Unit – VII, Bhandup Police Station for the offence punishable under Sections 420, 465, 467, 468, 471, 120-B read with Section 34 of the Indian Penal Code (for short “IPC”).

2. It is prosecution’s Case that the person namely Ali Hashmi was known to first informant. He informed her that a person Bhaskar Rao (present applicant) was in need of money. Therefore, on 5th January, 2022, she along with said Ali Hashmi met applicant. The

applicant informed the first informant that he got one precious metal pot with the help of his friend and he has sold it to the Foreign Company and he has received Rs.55,000/- Crores, but the said amount is stucked in Reserve Bank of India and to release the said amount he needed to Rs.27 Crores. To pay the said amount, he invited the people to deposit sum amount, in return he assured to pay them 40% of the said amount. Relying on his words, complainant paid Rs.30,000/- in advance. Thereafter, complainant came to know that applicant is a habitual offender. Hence, she lodged complaint. On her complaint, applicant and other co-accused arrested by the police.

3. Learned counsel for the applicant submitted that the cheated amount is Rs.30,000/- and said amount is recovered from the applicant. Applicant is behind bar for more than 21 months. Co-accused has been released on bail by the trial court. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. Learned APP submitted that applicant was caught red handed by the police. Applicant had taken Rs.30,000/- from the complainant. He has cheated the complainant. There is *prima facie*

case against the applicant. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused FIR and charge-sheet. It is alleged that applicant has taken Rs.30,000/- from the complainant. The said amount is recovered from the applicant. Investigation is completed and charge-sheet has been filed. Applicant is behind bar for more than 21 months.

6. Considering the above facts, further detention of applicant is not required.

7. In view of above, I pass following order.

ORDER

(i) Applicant be enlarged on bail in Crime No. 01 of 2022 registered with DCB CID – VII, Bhandup Police Station, District – Mumbai, on executing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(ii) 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 framing of

charge.

(iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

(iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.

(v) The Trial Court shall decide the said case on its own merits, in accordance with law uninfluenced by the observations made in this order.

8. The application is allowed in the aforesaid terms and is accordingly disposed of.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)