

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

**BAIL APPLICATION NO. 1094 OF 2023
WITH
BAIL APPLICATION NO. 3735 OF 2022
WITH
BAIL APPLICATION NO. 3913 OF 2022
WITH
BAIL APPLICATION NO. 3838 OF 2022
WITH
BAIL APPLICATION NO. 3816 OF 2022
WITH
BAIL APPLICATION NO. 3663 OF 2022
WITH
BAIL APPLICATION NO. 3919 OF 2022**

Sanjay Vijay Gupta

... Applicant

v/s.

The State of Maharashtra

.... Respondent

Mr. Akhilesh Chaubey a/w. Mr. Akshay Shetty i/b.

AVC and Associates for the Applicant.

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

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 02nd MAY, 2023.

P. C. :-

. These are the Applications under section 439 of Cr.P.C. filed by the aforesaid Applicant who is arrested in 07 different crimes viz., C.R.No.252/2021 (Versova Police Station), C.R.No.534/2021 (Amboli Police Station), C.R.No.312/2021 (Bhoiwada Police Station), C.R.No.591/2021 (Kandivali Police Station), C.R.No.855/2021 &

C.R.No.850/2021 (Borivali Police Station) and C.R.No.474/2021 (Bangur Nagar Police Station) for offences punishable under sections 188, 201, 268, 270, 274, 275, 276, 308, 419, 420, 465, 467, 468, 471, 120-B r/w. 34 of the Indian Penal Code ; section 27 of Drugs and Cosmetics Act ; sections 43 and 66(C) of Information Technology Act ; section 52 of Disaster Management Act and section 3 of Epidemic Disease Act.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The allegations against the Applicant are that he had organized vaccination camp in view of the outbreak of Covid-19 pandemic at different places within the jurisdiction of respective police stations. It is alleged that several persons were vaccinated in the said camp and money was received from each of them. The persons who were vaccinated were provided with fake vaccination certificates. It was on these basis, the crime against the Applicant came to be registered for conducting fake vaccination drive.

4. The records reveal that the co-accused in these crimes have been granted bail. The investigation has been completed and charge sheet has been filed. The Applicant is in custody since last 18 months. Since the charge sheet is already filed, presence of the Applicant is no longer required and it is not necessary to detain the Applicant in custody pending trial which is not likely to conclude in immediate future, considering the large pendency of the cases. Moreover, the Applicant is a permanent resident of Mumbai City and as such there are no chances of the Applicant absconding and/or thwarting the course of justice. Under the circumstances, the Applications are allowed on the following terms and conditions :-

- (i) The Applicant - Sanjay Vijay Gupta who is arrested in 07 different crimes viz., C.R.No.252/2021 (Versova Police Station), C.R.No.534/2021 (Amboli Police Station), C.R.No.312/2021 (Bhoiwada Police Station), C.R.No.591/2021 (Kandivali Police Station), C.R.No.855/2021 & C.R.No.850/2021 (Borivali Police Station) and C.R.No.474/2021 (Bangur Nagar Police Station), is ordered to be released on bail on furnishing P.R. bonds in the sum of Rs.15,000/- in each of the crimes

registered with aforesaid Police Stations, with one or two solvent sureties in the like amount ;

- (ii) 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 ;
- (iii) The Applicant shall keep the Trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.
- (iv) The Applicant shall co-operate with the conduct of the trial and attend the trial Court on all dates, unless exempted.

5. All Bail Applications stand disposed of in above terms.

PREETI
H JAYANI

(SMT. ANUJA PRABHUDESSAI, J.)

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