

Information Technology Act.

3. The allegations against the applicant are that his credit card was used in the alleged offence. It is further alleged that he along with the co-accused committed the alleged offence. The co-accused and the applicant are from Uttar Pradesh. It is alleged that huge amount was withdrawn from the various ATM's located in the State of Maharashtra.

4. Having gone through the charge-sheet and the relevant material collected by the IO, there is nothing to point out that the applicant came along with the co-accused in Maharashtra. The investigation shows that co-accused stayed in a lodge in Mhaswad and withdrew the amount from different ATM's. However, there is no evidence to show that the applicant accompanied the co-accused or he was involved in the alleged offence.

5. Thus, the only basis for impleading him is that one of the credit card used in the alleged offence, was of the applicant.

6. The learned APP has pointed out that some amount was transferred in the his account. However, the applicant is denying the operation of the said account by the the applicant.

7. Be that as it may, the fact remains that the applicant is in jail from last one and half years and there is no evidence to show that he actually participated in the alleged offence along with the co-accused.

8. In the circumstances, considering the fact that the charge-

sheet has been filed and further considering the period of incarceration of the applicant, I am of the opinion that further custody of the applicant is not necessary. Furthermore, there are no antecedents against the applicant.

9. The learned counsel for the applicant, on instructions, makes a statement that the applicant is ready to give local sureties.

10. In the circumstance, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.155 of 2023, registered with Mhaswad Police Station, Satara, for the offences punishable under Sections 379, 417, 420, 468, 467, 471, 120-B r/w 34 of the Indian Penal Code and Sections 65, 66(c) and 66(d) of the Information Technology Act, on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one local solvent surety in the like amount;
- iii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- iv) Liberty is granted to the State to apply for

cancellation of bail in case of any breach of condition or misuse of liberty by the applicant.

v) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

11. The application is disposed of .

(ANIL S. KILOR, J)