

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

CRIMINAL BAIL APPLICATION NO. 2004 OF 2024

Arjun Ashok Kharade

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Aniket Vagal with Ms. Savvy Kolhekar, Kunal Pednekar, for the applicant.

Mrs. Veera Shinde, APP for State-Respondent.

Mr. Hemant Patil, PI and Mr. Nikam, PC, are present.

CORAM:- ANIL S. KILOR, J.

DATED:- 20th AUGUST, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 70 of 2019, registered with Ozar Police Station, Nashik, for the offences punishable under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860 and Section 66 (c)(d) of Information Technology Act, 2000.

3) The learned APP while strongly opposing the present application submitted that the amount involved in the alleged offence is in Crores. However, on a specific query she points out that in the account of the

applicant, he received three lakhs and odd amount out of which he withdrew Rs.20,000/- and the rest of the amount was transferred to the account of co-accused- Peter Harman Alfa Asenza.

4) In the said backdrop, having gone through the charge-sheet and considering the relevant material collected by the Investigating Officer during the investigation, it is evident that the applicant is not the main accused and further, the amount received by him was transferred to co-accused Peter. Furthermore, the account of the applicant was seized in the year 2019 and he was arrested on October, 2023.

5) In that view of the matter, since the charge-sheet has been filed, I am of the opinion that further custody of the applicant is not necessary in the present case. Furthermore, since there is unlikelihood that the trial will be concluded in near future, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No. 70 of 2019, registered with Ozar Police Station, Nashik, for the offences punishable under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860 and Section 66 (c)(d) of Information Technology Act, 2000, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one local solvent surety in the like amount;

- iii. The Applicant shall attend the said Police Station on 1st and 16th day of each month between 10.00 am to 11 am, till the conclusion of the trial except on the date of trial;
- iv. 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;
- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]