

IN THE HIGH COURT OF JUDICATURE AT BOMBAYCRIMINAL APPELLATE JURISDICTIONCRIMINAL BAIL APPLICATION NO. 3238 OF 2024

Mitul Nalinkumar Raval ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr Satyam Nimbalkar a/w Harshwardhan M Pawar & Padmasinh Patil
i/b Milind D Pawar, Advocate for Applicant

Ms Priyanka S. Rane, APP for the State.

CORAM : ANIL S. KILOR, J.

DATED : OCTOBER 23, 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.250 of 2023, registered with Chandan Nagar Police Station, Pune City for the offences punishable under Sections 409, 419, 420 read with Section 34 of the Indian Penal Code, 1860 and Sections 66C and 66D of the Information Technology Act, 2000.
3. Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it

is evident that for the reasons that the applicant received Rupees Five Lakhs and Odd from the co-accused he has been implicated as an accused. It is further evident that the said amount was not retained or used by the applicant but he withdrew the said amount and paid it to one co-accused Sanjaykumar Rameshbhai Prajapati who has already been released on bail.

4. Thus, considering the allegations against the applicant, the nature of the evidence coupled with the fact that the applicant is in jail from about 1½ years and the charge-sheet has already been filed, I am of the opinion that further custody of the applicant is not required.
5. In the circumstances, though the learned APP has strongly opposed the application, I pass the following order:
 - i) The Criminal Application is allowed.
 - ii) It is directed that the applicant shall be released on bail in connection with Crime No.250 of 2023, registered with Chandan Nagar Police Station, Pune City for the offences punishable under Sections 409, 419, 420 read with Section 34 of the Indian Penal Code, 1860 and Sections 66C and 66D of the Information Technology Act, 2000, on furnishing P.R.Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount;

- iii) The applicant shall attend the concerned Police Station on first day of each month between 10:00 am and 11:00 am, till conclusion of the trial, except on the date of the 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 for cancellation of bail if the applicant commits similar offence or breaches any condition for grant of bail.
- vi) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

The Criminal Application is **disposed of** accordingly.

(ANIL S. KILOR, J)