

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

ANTICIPATORY BAIL APPLICATION NO. 1817 OF 2024

Ketan Chandrakant Baraskar
Age 40 years, Occ. Service,
R/at. J/4, 504, Global City,
Chikhal Dongari Road, Virar,
Palghar.

..Applicant

Vs.

The State of Maharashtra
Through Worli Police Station in
C.R. No.148 of 2023

..Respondent

Mr. Shailesh Kharat, for the Applicant.
Mr. Nitin B. Patil, APP for the Respondent – State.
API Sampat Chemte, Worli Police Station present.

**CORAM : R. N. LADDHA, J.
DATE : 4 JULY 2024**

P.C.

Heard Mr Shailesh Kharat, the learned Counsel appearing on behalf of the applicant and Mr Nitin B Patil, the learned Additional Public Prosecution representing the State.

2. By this application, the applicant seeks pre-arrest bail in connection with CR No.148 of 2023, registered at Worli Police Station, Mumbai, for the offences punishable under Sections 408, 420, 465, 467, 468, 471 and 477 of the Indian Penal Code and Section 65 of the Information

Technology Act, 2000.

3. The prosecution alleges that the applicant and the co-accused, in collusion, prepared false bills of their personal expenses, falsely claiming they were company expenses. They allegedly diverted funds by pretending to pay these amounts to the first informant, his mother, or wife. Furthermore, the applicant and co-accused are accused of creating fraudulent emails on behalf of the company. They also forged signatures on the cheques and NEFT forms, misappropriating funds. Additionally, they allegedly prepared counterfeit bills in foreign currency, falsely indicating payment to the informant's daughter. Their actions involved manipulating data within the Tele system, resulting in a total misappropriation of approximately Rs.25,00,000/-.

4. Mr Shailesh Kharat, the learned Counsel for the applicant, submits that the entire amount allegedly misappropriated was secured from the co-accused, Swati. All three co-accused have been granted bail. The applicant denies any wrong doing as alleged. The case relies on documentary evidence, which is already in the prosecution's possession. There is nothing on record to show misrepresentation or inducement on the part of the applicant. Furthermore, there is no material connecting the

present applicant to the alleged crime. The applicant is ready to co-operate with the investigation.

5. On the other hand, Mr Nitin B. Patil, the learned Additional Public Prosecutor representing the respondent/ State, contends that the applicant received Rs.2,86,000/- in his account. However, the learned APP, on instructions, acknowledges that the investigation is almost complete except for verifying cash vouchers, which does not require the applicant's custodial interrogation.

6. Upon perusing the records, it appears that the investigation is almost over, and the entire amount allegedly misappropriated has been secured from the co-accused, Swati. All the co-accused have already been granted bail, and nothing is to be discovered or recovered from the applicant. To address concerns about evidence tampering or witness influence, appropriate conditions can be imposed. In view of the above, the present application is allowed in the following terms:

(i) In the event the applicant is arrested in connection with CR No.148 of 2023, registered at Worli Police Station, Mumbai, he shall be released on bail on executing a PR Bond of Rs.25,000/-, with one or more

sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station on 9, 10, and 11 July 2024, between 11:00 a.m. to 2:00 p.m. and co-operate with the investigation, and shall not tamper with the prosecution evidence or influence the witnesses.

7. The application stands disposed of accordingly.

[R. N. Laddha, J.]