

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3189 OF 2025**

Dhavalbhai Vipulbahi Shaha	...Applicant
Versus	
State Of Maharashtra	...Respondent

HARISH
VITHAL
CHAUDHARI

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by HARISH
VITHAL
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Date:
2025.10.07
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Mr. Anant Sakunde a/w Mr. Amol Jadhav for the applicant
Mr. A. S. Shalgaonkar APP for the State
Mr. Anvil Kalekar for the Intervenor-first informant.
Mr. Nagesh Ingale, PSI, Solapur City Police Station

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th SEPTEMBER, 2025

P.C.:

1. By this application, applicant is seeking regular bail in Crime No. 8 of 2024 registered with Cyber Police Station, Solapur, District Solapur for offences punishable under Sections 318(4), 319(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 66(c) and 66(d) of The Information Technology Act, 2000.

2. It is the prosecution's case that the applicant and co-accused has compelled the first informant to send the amount under the threat of digital arrest.

3. It is the contention of learned counsel for the applicant that the applicant is behind bar around six months. Investigation is completed. Charge-sheet has been filed. As per the police report, total amount of Rs.16,10,000/- was deposited in the account of the applicant. Out of that amount, Rs. 13,00,000/- is returned to the first informant and Rs. 3,10,000/- is recovered by the police from the account of the applicant. So the total amount is recovered at the instance of the applicant. The applicant has no antecedents. Hence, requested to allow the application.

4. It is the contention of learned APP that the applicant has compelled the first informant to send the amount under the threat of digital arrest. The applicant has antecedents. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. It is the contention of learned counsel for the intervenor-first informant that the first informant has received the amount of Rs. 13,00,000/-.

6. I have heard all the counsel. Perused the FIR and

documents produced on record.

7. The allegations against the applicant are that out of fraud amount, Rs.16,10,000/- was deposited in the bank account of the applicant. Out of the said amount, Rs.13,00,000/- is returned to the first informant and Rs. 3,10,000/- is recovered by the police from the applicant. Applicant is behind bar around six months. Investigation is completed. Charge-sheet has been filed. It may take time to conclude the trial. Considering these facts, further detention of the applicant is not required. Hence, I pass the following order :

ORDER

- I. Application is allowed.
- II. The applicant be enlarged on bail in Crime No. 8 of 2024 registered with Cyber Police Station, Solapur, District Solapur on executing P. R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
- III. The applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.
- IV. The applicant shall attend the Trial Court dates, regularly.

8. The application is allowed in the aforesaid terms and is accordingly disposed off.

9. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]