

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

ANTICIPATORY BAIL APPLICATION NO. 2124 OF 2024

1. Sanjay Ram Sailkar
2. Vimal Ganapat Kasar

...Applicants

V/s.

The State of Maharashtra and Anr.

...Respondents

Mr. A. S. Patil, Advocate for the Applicants.

Ms. Rutuja Ambekar, APP for the Respondent/State.

Mr. Ashwin Kapadnis, Advocate for the Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 28.11.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicants are apprehending their arrest in Crime No. 364 of 2024 registered at Nerul Police Station, for the offences punishable under Sections 408 & 420 read with 34 of the Indian Penal Code and Section 43 & 66(c) of Information Technology Act.
3. It is the case of the prosecution that applicant No.1 Mr. Sanjay Ram Sailkar and the applicant No.2 Vimal Ganpat Kasar while working as a Manager and Accountant respectively in the firm of first informant, defrauded him to the tune of Rs.1,24,5,650/-.

4. I have heard the learned counsel for the applicants, the learned APP for the respondent-State and the learned counsel for the respondent No.2- first informant.

5. The learned counsel for the applicants submits that according to first informant himself during the relevant period the applicants were working in his factory at Kolhapur. It is submitted that according to the first informant, he provided raw material to the applicants for making furniture. After making furniture from the said raw material, they sold the said furnitures from his factory at Kolhapur and misappropriated the amount. It is submitted that nothing has happened within the jurisdiction of Nerul Police Station. It is submitted that with ulterior motive report came to be lodged with Nerul Police Station. It is submitted that earlier complaint was made to the Superintendent of Police, Kolhapur. It is submitted that the said complaint was closed as the dispute was found to be civil in nature.

6. On the other hand, the learned APP for the respondent-State and the learned counsel for the respondent No.2 submit that the raw material was provided from the factory located within the jurisdiction of Nerul Police Station. It is submitted that considering the nature of crime, the applicants may not be released on anticipatory bail.

7. I have perused the First Information Report. *Prima-facie*, there appears to be substance in the submission of the learned counsel for the applicants in respect of jurisdiction of Nerul Police

Station to register the crime. Considering the overall facts and circumstances, I am inclined to release the applicants on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicants in connection with Crime No. 364 of 2024 registered at Nerul Police Station, for the offences punishable under Sections 408 & 420 read with 34 of the Indian Penal Code and Section 43 & 66(c) of Information Technology Act, they be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.
- c) The applicants shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

[N.R.BORKAR, J.]