



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2746 OF 2024

SANDEEP RAMSHIROMANI YADAV

...APPLICANT

VS

THE STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Pramod Pandey for the Applicant.

Adv. Amit A. Palkar, APP for the State.

...

CORAM : RAJESH S. PATIL, J.

DATED : MARCH 11, 2025

P.C.:

1. This is an application under Section 438 of the Code of Criminal Procedure, 1973 for having the protection of pre-arrest bail in connection with the crime vide C.R. No. 165 of 2024 dated 28.02.2024 registered with Parksite Police Station, Gr. Mumbai for the offences punishable under Sections 419, 420, 109, 465, 468, 471 r/w. 34 of the Indian Penal Code, 1860 and under Section 66(C) and 66(D) of the Information Technology Act, 2000.

2. The role of the present applicant has been stated in the complaint on the basis of which, FIR has been lodged. The present applicant is accused no. 3. As far as accused nos. 1 and 2 are concerned I have told that they have been arrested and were granted regular bail.

3. Mr. Pandey, learned counsel for the applicant submits that as per the earlier order passed by this Court, the applicant has attended the office of the investigating officer and has co-operated with the investigation. He submits that as far as the present applicant is concerned, he comes from very humble background and he is resident of District- Jaunpur, Uttar Pradesh. He was just a marketing and selling person with Airtel Company. His job is selling sim cards as much as possible of the Airtel Company. He submits that the other co-accused told him to supply them heap of the sim cards, since, they require a larger number of sim cards for conducting their business. Accordingly, those sim cards were handed over to them. As far as the crime committed by the co-accused is concerned, the present applicant has no role played neither any amount of the crime as mentioned in the FIR has gone into the account of the present applicant. He submits that the applicant is ready to co-operate with the police.

4. The learned APP on instructions of investigating officer submits that the two co-accused have been arrested and charge-sheet have already been filed against them. As far as the present applicant is concerned. He has co-operated with the police as directed by this Court. He has attended the office of the investigating officer. He further submits that in the present crime, there is an online fraud and the amount have been taken from innocent persons on the account of, they

being granted loans. Therefore, the custody of the present applicant is necessary. He submits that as of today, it appears that the amount of crime has not gone into the account of the present applicant.

5. I have heard both the sides and I have gone through the FIR and the documents produced along with anticipatory bail application. The present applicant has been arraigned as accused no. 3 in the FIR. Two accused have already been arrested. It is admitted part that the present applicant has co-operated with the police and has attended the office of the investigating officer as per the directions of this Court. No amount of the crime has gone into the bank account of the present applicant. Therefore, according to me, the custody of the present applicant is not necessary. Hence, I pass the following order.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with C.R.No.165/2024 registered with Parksite Police Station, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.

(c) The applicant shall attend the investigating officer of the concerned police station as and when called for.

(d) The applicant shall not directly or indirectly make any

inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish details of his residential address, contact number and email address to the Investigating Officer.

6. The **anticipatory bail application is disposed off as allowed.**

(RAJESH S. PATIL, J.)