

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

CRIMINAL BAIL APPLICATION NO. 45 OF 2025

Kanhaiya Vakil Kanojiya ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Mr. Premlal Krishnan a/w Mr. Sidharth Pimpale and Mr. Prashant Bothre, Advocate for the Applicant.

Ms. Anamika Malhotra, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 08.05.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 540 of 2024 registered at Pimpri Police Station, Pimpri-Chichwad for the offences punishable under Sections 406 and 420 of the Indian Penal Code and Sections 66(C) and 66(D) of the Information Technology Act.
3. The allegations against the present applicant and other co-accused are of defrauding the complainant to the tune of Rs.89,61,189/- through online fraud.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the bank account of the present applicant was misused in the alleged fraud. The learned counsel for the applicant submits that the applicant is in jail for 11 months and there are no other criminal antecedents. The learned counsel for the applicant submits that the applicant without prejudice to his rights is willing to deposit Rs.1,00,000/- (Rupees One Lakh Only).

6. On the other hand, the learned APP for the Respondent/State submits that the applicant is the beneficiary of the amount to the tune of Rs.2,60,000/-. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. The applicant is in jail for about 11 months. There are no other criminal antecedents against the applicant. Considering the said facts, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 540 of 2024 registered at Pimpri Police Station, Pimpri-Chichwad for the offences punishable under Sections 406 and 420 of the Indian Penal Code and Sections 66(C) and 66(D) of the Information Technology Act, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five

Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicant shall deposit the amount of Rs.1,00,000/- (Rupees One Lakhs Only) with the trial Court. The release warrant shall not be issued unless the said amount of Rs.1,00,000/- is deposited.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)