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

**BAIL APPLICATION NO.1316 OF 2025**



Ramdeo Raghuraj Chaudhary ... Applicant
**V/s.**
The State of Maharashtra ... Respondent

Mr. Vinay Manohar Bhate for the applicant.
Ms. Shilpa G. Talhar, APP for the State.
Mr. Sanjay Bedwal, Malad Police Station is present.

**CORAM : AMIT BORKAR, J.**

**DATED : JUNE 11, 2025**

**P.C.:**

**1.** This is an application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, by the applicant seeking his release on bail in connection with C.R. No.1006 of 2024 registered with Malad Police Station, for offences punishable under Sections 319(2), 318(4), and 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 66C and 66D of the Information Technology Act, 2000.

**2.** The case of the prosecution, in brief, is that on 21st December 2024, the informant lodged a complaint stating that he received a phone call from an unknown mobile number. The caller informed him that one person named Goyal had opened a bank account using the informant's Aadhaar card, and that illegal money-laundering transactions were being conducted through that account. The caller threatened that unless the informant cooperated and travelled to Delhi for an inquiry, he would be arrested. The caller also connected with the informant through a video call on a social media application and demanded a sum of Rs.10,00,000/- to resolve the issue. Fearing legal trouble, the informant allegedly transferred an amount of Rs.8,60,000/- to the bank account provided by the caller.

**3.** During the course of investigation, it came to light that the bank account into which the said amount was transferred was in the name of the applicant. Based on this fact, the applicant came to be arrested. The Sessions Court at Dindoshi rejected his bail application primarily on the ground that a substantial amount of Rs.8,60,000/- was found credited to his bank account, and without his knowledge, consent, or assistance, the alleged fraudster would not have been able to receive or utilize the amount.

**4.** The learned Advocate for the applicant has submitted that the applicant himself is a victim of deception. It is argued that on 26th December 2024, the applicant lodged a complaint with the police stating that he had been cheated by another person who lured him into opening a bank account with the promise of sanctioning a loan. The applicant claims to have handed over the account-opening documents to such other accused under a mistaken belief. It is also submitted that the applicant was arrested on 5th January 2025 and has been in custody since then.

**5.** On the other hand, the learned APP has opposed the bail application. It is submitted that the investigating agency has collected material showing the active involvement of the applicant. According to the prosecution, the applicant cannot feign ignorance about the fraudulent transactions which occurred through an account registered in his own name. It is, therefore, urged that this Court should not exercise discretion in favour of the applicant at this stage.

**6.** Upon careful perusal of the material placed on record, it is informed that the charge sheet has already been filed in the present case. On a prima facie assessment, it appears that although an amount of Rs. 8,60,000/- was deposited into the bank account belonging to the applicant, the investigation further reveals that the entire amount was immediately transferred to another bank account via NEFT. At this stage, there is no conclusive material to show that the applicant himself derived any direct monetary gain or retained any part of the said amount. Whether the applicant was knowingly involved in facilitating the offence or merely used as a conduit by the main accused is a matter of trial and will be established on the basis of evidence.

**7.** It further appears that the core allegations and threats which compelled the informant to part with the said amount are primarily attributed to the co-accused, who allegedly made threatening calls and induced the informant to make the payment. The applicant’s role, as emerging from the record, is limited to the bank account in which the money was initially credited, and there is no allegation that he himself made any direct demand for money. Considering the limited role of the applicant and the fact that the main allegations concern another accused, this Court is of the opinion that the applicant has made out a case for grant of bail, particularly when the investigation is completed and the charge sheet is already filed.

**8.** Hence, the applicant is directed to be released on bail upon furnishing cash sureties of Rs.50,000/- (Rupees Fifty Thousand Only) and executing a Personal Recognizance (P.R.) Bond in the like amount, within a period of two weeks from the date of his release, subject to the following conditions:

a) The applicant shall not tamper with the evidence or attempt to influence any witnesses in any manner.

b) The applicant shall regularly remain present before the Trial Court on every date of hearing, unless prevented by sufficient and justifiable cause.

c) The applicant shall not leave the territorial jurisdiction of the concerned Trial Court without obtaining prior permission.

d) The applicant shall not commit any offence or indulge in any criminal activity during the pendency of the trial.

**9.** The bail application stands disposed of in the aforesaid terms.

**(AMIT BORKAR, J.)**