

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3292 OF 2025

Prashant Kumar Dalai

...Applicant

Versus

State Of Maharashtra

...Respondent

Mr Chaitanya C Mulawkar, *for the Applicant.*

Mrs Anuja S Gotad, *APP for the Respondent-State.*

PSI Mr. Rohit Bandgar, *attached to Cyber Police station, Navi Mumbai present.*

CORAM Dr. Neela Gokhale, J.

DATED: 8th September 2025

PC:-

1. By way of this Application, the Applicant seeks his release on bail in respect of C.R.No.97 of 2024 registered on 12th August 2024 with Cyber Police Station, Navi Mumbai for the offences punishable under Sections 319(2), 318(4) and 3(5) of the Bhartiya Nyaya Sanhita ('BNS') 2023 and Section 66(D) of the Information Technology Act 2000.

2. Heard Mr. Chaitanya Mulawkar, learned counsel appearing for the Applicant and Ms. Anuja Gotad, learned APP appearing for the State.

3. Mr. Mulawkar submits that the Applicant is working as labour in a shop in 'Mufti Jeans', Andheri and is getting a salary of approximately Rs.16,000/- per month. He says that a bank account was opened by the Applicant in Indusind Bank, Dombivali (East) at the behest of its employee. He submits that there are 13 accused in all and some of them have cheated and siphoned off an amount approximately of Rs.13,91,00,000/- from the First Informant. An amount of Rs.15 Lakhs was found to be deposited in the Applicant's account. The Police have freeze the said account. He also submits that the charge-sheet is already filed on 27th November 2024 in the Sessions Court, Belapur, Navi Mumbai. He had applied for his release on bail before the Sessions Court. By order dated 4th June 2025, the said application was rejected. Hence, he has filed the present Bail Application.

4. Ms. Gotad, on the other hand, submits that the Applicant is resident of Orissa and in case, he is released on bail, he would not be available for trial. She also submits that only three persons have been arrested and as many as ten accused are yet absconding. She thus, prays that Bail Application be rejected.

5. Considering the fact that the concerned bank account is already frozen and that the Applicant has suffered detention since 3rd October 2024 and that the charge-sheet is already filed, a case is made out for grant of bail. Hence, I pass the following order:

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.10,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date unless specifically exempted by the orders of the Trial Court concerned;

iii) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station;

iv) The Applicant shall not leave the state of Maharashtra without seeking prior permission from the Trial Court. He shall also furnish his local address in Orissa to the Investigating Officer as well as the Trial Court.

v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

vii) The Applicant to co-operate with the conduct of the trial;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

6. Application is allowed in the above terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All parties to act on an authenticated copy of this order.

(Dr. Neela Gokhale, J)

Digitally
signed by
SHAMBHAVI
NILESH
SHIVGAN
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