

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3983 OF 2025**

Akshay Ramrao Agharde	...Applicant
<i>Versus</i>	
State of Maharashtra and Anr.	...Respondents

Mr. Ajinkya Mohan Udane a/w Vinayak Pandit and Sufyaan
Mansuri, *for the Applicant.*
Mr. Anuja S. Gotad, *APP for the Respondent - State.*
Ms. Jadhav, PI, South Cyber, Police Station, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 13TH OCTOBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.83 of 2025 dated 20th August, 2025, registered with the South Cyber Crime Police Station, for the offences punishable under Sections 318(4), 319(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 66(c), 66(d) of the Information and Technology Act, 2000.

2. The facts of the case, in brief, are that on 16th January, 2025, the first informant received a message on the app called 'Telegram' offering him work from home. He was assured some amount for his services. Thereafter, he received certain messages directing him to deposit certain amounts, failing which, his account would be frozen. He was asked to deposit some more amounts if he wanted to de-freeze the said account. Accordingly, a sum of Rs.10,00,000/- was deposited alleged to have been siphoned off from the first informant's account. The first informant made a complaint, pursuant to which the FIR was registered.

3. Mr.Udane, learned counsel for the Applicant submits that the Applicant is incarcerated since 29th August, 2025. He submits that he has no role to play in the said alleged fraud as the role attributed to him is only accompanying one Mr. Akshay Suryavanshi in whose account the said amount from the first informant has been received.

He has not benefited from the amount at all. Accordingly, he prays that the Applicant be released on bail.

4. Ms.Gotad, learned APP representing the State, submits that it is a serious offence and it is a fraud played on ordinary and vulnerable citizens by misusing the digital technology. She submits that the Applicant is arrested only on 29th August, 2025 and the prosecution must get an opportunity of filing charge-sheet and prosecuting the Applicant. In these circumstances, she resists the bail application.

5. I have heard learned counsels for the respective parties and perused the record with their assistance.

6. A plain reading of the FIR itself places the Applicant in the role of a person accompanying the main accused. It does appear *prima facie* that he is not beneficiary of the proceeds of crime. The Applicant has already suffered incarceration of 1 and ½ month. The only material available

against the present Applicant is that he is seen in the CCTV footage accompanying the main accused. Even the Remand Report reveals the role of Akshay Suryavanshi and Atul Rajkumar Kashyap and not the present Applicant. In these circumstances, I am inclined to grant bail. Hence, the following order is passed:-

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ 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 exempted by the orders of the Trial Court concerned;
- iii) The Applicant shall also attend the South Cyber Crime Police Station, on first Saturday of every month between 09:00 a.m. to 11:00 a.m. till the charges are framed;

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

v) The Applicant shall not leave India, without the permission of the Trial Court;

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

vii) The Applicant shall inform his latest place of residence and 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 Police Station concerned;

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

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

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

8. 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.

(DR. NEELA GOKHALE, J)