IN THE HIGH COURT OF JUDICATURE AT BOMBAY NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.614 OF 2025

Manoj s/o Pratapchand Bansal
Vs.
State of Maharashtra, through Police Station Officer, Police Station Cyber, Sadar, District Nagpur

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Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

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Mr. P. M. Sinha, Counsel for the applicant.
Mr. Aditya Gohokar, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 14/07/2025

1. The application is preferred by the applicant for grant of bail in connection with Crime No.5/2024 registered with Police Station Cyber, Sadar, District Nagpur for the offences punishable under Sections 419, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code and under Section 66(D) of the Information Technology Act.

2. As per the case of the prosecution, on 11.11.2023, the informant was surfing on Facebook from his own account. He came across an advertisement, in which it was stated that there are guaranteed 15 to 20% returns on investing in stocks. So, he clicked the link which took him to a WhatsApp group namely, “Stock Frontline 68”, wherein the members posted profits earned by them. Then he was introduced to one Anil Sharma as a guide, who

used to advise him and take followup from his mobile. Thereafter, the complainant from 05.12.2023 to 08.01.2024 transferred Rs.2,48,69,000/- in various trading account companies as advised by the said Anil Sharma. When he tried to withdraw his money, he could not and thus he realized that he has been duped by online fraudsters. Thereafter, he approached to the Police Station.

3. On the basis of the said report, police have registered the crime. During the investigation, the involvement of the present applicant revealed and it also revealed that the account holders are in Delhi, Gujarat, Mumbai and Haryana. Accordingly, a team has been sent to Surat, Gujarat for investigation. During the investigation, it was found that total Rs.34,00,000/- was deposited into Kotak Mahindra Bank Account No.9848415106 and R.B.L. Bank account No.409913816610 belonging to "Kana Capital". During the investigation, the involvement of the present applicant is also revealed, and therefore, he is arraigned as an accused.

4. Heard learned Counsel for the applicant, who submitted that other co-accused Vikas Bansal is already released on bail. As far as the present applicant is concerned, except that he has assisted the co-accused in opening the bank account, there is no other material to connect him. He has not received any pecuniary gain from the said transactions. Now, the investigation is already

completed, charge-sheet is already filed and further incarceration of the present applicant is not required. In view of that, he be released on bail.

5. Learned APP strongly opposed the said application and submitted that in furtherance of the common object, the conspiracy was hatched and in pursuance of the said conspiracy, various investors were duped by the present applicant and the other co-accused. In view of that, the application deserves to be rejected as the involvement of the present applicant reveals in an economic offence.

6. On hearing both sides and perusal of the investigation papers, it reveals that as far as the role of the present applicant is concerned, which is very limited to the extent of assisting the other co-accused in opening the bank accounts. Thus, considering the role attributed to the present applicant and considering the fact that now the investigation is already completed, charge-sheet is already filed and further incarceration of the present applicant is not required and, therefore, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Manoj s/o Pratapchand Bansal** shall be released on bail in connection with Crime No.5/2024 registered with Police Station Cyber, Sadar, District Nagpur for the offences punishable under Sections 419, 420, 467, 468, 471 read with Section 34 of the Indian Penal Code and under Section 66(D) of the Information Technology Act, on executing PR bond in the sum of Rs.1,00,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned Police Station twice in a month i.e. on 1st and 15th of every month till culmination of the trial.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(v) The applicant shall surrender his passport, if he is having before the investigating agency.

(vi) The applicant shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.

(vii) The applicant shall not leave India without prior permission of the District Court, Nagpur.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate