



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

CRIMINAL APPLICATION (BA) NO.823/2025

(Jaydipkumar S/o Dayabhai Akbari Vs. The State of Maharashtra, through P.S.O., Bajaj Nagar, Nagpur, Tah. & Distt. Nagpur)

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

Court's or Judge's orders

Mr. Jasprit Singh Chilotra, Advocate for the applicant.
Mr. Anant Ghogare, A.P.P for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 6.11.2025.

The applicant is arrested in Crime No.282/2024 for the offence punishable under Sections 318(4), 338 and 3(5) of the Bharatiya Nyaya Sanhita and Sections 66(c) and 66(d) of the Information Technology Act.

2. It is the case of the prosecution that on 24.4.2024 informant received a whats-app call from one Nitesh Gupta. Thereafter whats-app caller started chatting with informant on whats-app. He sent message that he is Nitesh Gupta and it is his whats-app number, he instructed the informant to save the number. As the owner of the company of informant is Nitesh Gupta, he saved the number. Thereafter that caller started official whats-app chatting with the informant. He sent message and asked for the outstanding amount in the company's account. The informant had taken the necessary details from Finance Manager of company Shri Sarkar and sent it on said whats-app number. The informant again received the message from said number that he needs Rs.98,00,000/- for payment of urgent project and instructed him to make the payment to that party. As the informant was under impression that owner of the company is chatting with him, he has transferred the amount. The allegations are

made against this applicant that some of the amount is transferred in the account of this applicant.

3. Learned Advocate for the applicant has stated that two co-accused are already released on regular bail by the trial Court. Same role is attributed to said accused and they are also from other State. The bail of this applicant is rejected only because he is from Gujarat. The ground of parity is available to this applicant. Hence, prayed to release the applicant on bail.

4. Learned A.P.P. opposed the application stating that amount of Rs.8,00,000/- is transferred in the account of this applicant. He has withdrawn the said amount and it is reflected in the CCTV Footage. He is from other State. Hence, prayed to reject the application.

5. Heard both sides and perused the record.

6. The applicant is in jail since last 10 months. Three co-accused are already released on bail. They are having same role. The ground of parity is available to this applicant. Hence, the application is allowed.

i) Applicant - Jaydipkumar S/o Dayabhai Akbari be released on bail in Crime No.282/2024 for the offence punishable under Sections 318(4), 338 and 3(5) of the Bharatiya Nyaya Sanhita and Sections 66(c) and 66(d) of the Information Technology Act, on his furnishing PR. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount.

ii) The applicant shall not in any way tamper with the prosecution evidence.

iii) The applicant shall not pressurize or threaten the prosecution witnesses.

iv) The applicant shall co-operate with the learned trial Judge in the conduct of the trial.

(MRS.VRUSHALI V.JOSHI, J.)