IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2406 OF 2026

Ashish Shivkumar Pal ... Applicant
V/S.
State of Maharashtra ... Respondent

Mr.Khwaja Shaikh and Abhay Dolas, for the applicant.
Ms. K.T. Hiwrale, APP for Respondent–State.

CORAM: SHYAM C. CHANDAK, J.
DATED : 13th OCTOBER, 2026

P.C. :-

. Heard learned Counsel for the parties. Perused the record.

2. Present Application seeks release of the applicant on bail in connection with C.R. No.25 of 2026, registered with Sakinaka Police Station, for the offences punishable under Sections 318 (4) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023, read with Section 66D of the Information Technology Act, 2000, on the report dated 09.01.2026 lodged by Kiran Kore, Police Head Constable.

3. It is alleged that, on or around 09.01.2026, the applicant and co-accused persons, at Hotel Icon, Andheri, Ghatkopar, Mumbai, in furtherance of their common intention, obtained information about certain bank accounts, and procured kits required for operating the said accounts including cheque books, ATM cards and mobile SIM cards linked to the said bank accounts and, by committing online cheating, illegal online gaming and betting, dishonestly induced various victims across the States to part with a total of Rs. 79,15,000/- and thus, they have committed this cyber fraud. Accordingly, the aforesaid crime came to be registered and a total of five accused persons were arrested. The

applicant is an original accused No.3. Upon completion of the investigation, police submitted the charge-sheet. The trial Court as well as the Sessions Court rejected the applicant's prayer for bail. Hence, this application.

4. Ms. Hiwrale, learned APP, has contended that the entire cyber fraudulent activities were committed from the hotel room. The applicant was present throughout said activities and was aware of the same. As such, there is a *prima facie* case against the applicant and he may not be released on bail.

5. Considering the submissions and the material on record, it appears that, at the relevant time, A2 had appointed the applicant only to help A1, by serving him food, water, tea, etc. Beyond this, no other role is attributed to the applicant indicating that, *prima facie*, he was involved along with the co-accused persons to commit this crime. The investigation is over. The detention of the applicant in jail is not required. The trial will take a considerable time to conclude. The applicant is not likely to abscond or tamper with the prosecution witnesses. He has no criminal antecedents.

6. As a result, the applicant is entitled for bail. Hence, Order :-

(i) Applicant - Ashish Shivkumar Pal, be released on bail in connection with C.R. No. 25 of 2026, registered with Saki Naka Police Station, on his executing a P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(ii) The applicant shall mark his attendance at Saki Naka Police Station, on 1st day of a month, between 11:00 a.m. to 2:00 p.m., till conclusion of the trial.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

(iv) On being released from jail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated in case there is any change.

(v) The applicant shall not indulge in identical activities for which he has been arraigned in this case.

(vi) The applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence the prosecution witnesses to prevent them from deposing against him.

(vii) It is clarified that any observation made in the present Order are for the purpose of deciding the present Bail Application. The trial Court shall decide the said case without getting influenced by any of the said observations.

7. Bail Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

PREETI HEERO JAYANI

Digitally signed by PREETI HEERO JAYANI
Date: 2026.10.15 11:10:45 +0530