

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.3543 OF 2025

Rahul Ashokkumar Patwa

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Sujit Sahoo, *with Zainab Burmawala and Rita Sharma,
for the Applicant.*

Ms. Gauri S. Rao, *APP for the Respondent-State.*

Mr. Chetan K. Patil, *API attached to Cyber Police Station,
Thane City, present.*

CORAM DR. NEELA GOKHALE, J.

DATED: 4th FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No. 1397 of 2024 dated 21st September 2024 registered with the Kasarvadavali Police Station, Thane City, for the offences punishable under Sections 120-B, 34, 420, 467, 468 and 471 of the Indian Penal Code, 1860 ('IPC') and under Section 66(D) of the Information Technology Act, 2000.

2. The case of the prosecution, in brief, is that, Accused No.3 contacted the Complainant in May 2022 and enticed him with a job offer. Accused Nos.2 and 3 instructed the First Informant to bring his Aadhaar Card, PAN Card, photographs, and a signed cheque. Both the Accused assisted the Complainant in opening a bank account. It is the case of the prosecution that an amount of Rs.25,000/- was deposited from the account of the present Applicant in the Complainant's bank account. However, while opening the bank account, the telephone number of the present Applicant was provided instead of that of the First Informant. Consequently, all bank transactions were conducted by the present Applicant, instead of and on behalf of, and without the knowledge of the Complainant. It is alleged that the Accused misused the Complainant's identification documents and the bank account opened in his name, along with third parties as joint holders, and carried out transactions through the said account. Hence, the FIR came to be registered and

three Accused were arrested. The present Applicant is Accused No.2.

3. The Applicant filed an application seeking bail before Additional Sessions Judge, Thane. However, by order dated 11th August 2025, his bail application came to be rejected. Hence, the Applicant is before this Court for the reliefs as prayed.

4. At the very outset, Mr. Sujit Sahoo, learned counsel appearing for the Applicant, drew my attention to an order dated 2nd May 2025 passed by the Co-ordinate Bench of this Court (Coram: Milind M. Jadhav, J.) in Criminal Bail Application No. 855 of 2025, whereby the Applicant therein, namely Deepak Ramesh Shukla (Accused No.1), was enlarged on bail.

5. *Per contra*, Ms. Gauri Rao, learned APP representing the State, opposed the Bail Application. She submits that the offence is serious in nature and that the Complainant has

been duped, with his bank account being used for multiple transactions without his knowledge. She, however, fairly concedes that one of the Accused has been enlarged on bail by the Co-ordinate Bench of this Court. She thus, leaves it to the Court to pass appropriate orders.

6. Heard learned counsel appearing for the respective parties and perused the record with their assistance.

7. I have perused the afore-said order passed by the Co-ordinate Bench of this Court as well as the FIR. The role attributed to the present Applicant is identical to that of Accused No.1, Deepak Ramesh Shukla. The Applicant was arrested on 23rd September 2024 and charges have not been framed as yet. Thus, on the ground of parity, as well as the fact that charges have not been framed till date, I am inclined to enlarge the Applicant on bail.

8. In these circumstances, I am inclined to enlarge the Applicant on bail. It is accordingly, ordered as under:-

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.1,00,000/- 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 Police Station concerned once in a month on first Monday between 11:00 a.m. to 02:00 p.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.

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

10. 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)

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