

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4841 OF 2025

Gaurav Anil Barathe

... Applicant

VERSUS

The State Of Maharashtra and Anr.

... Respondents

Mr. Harshwardhan M. Pawar a/w. Mr. Padmasinh P. Patil, Advocate for Applicant.

Mr. B.B.Kulkarni, APP for Respondent-State.

Mr. Rupesh Zade, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MAY, 2026.

P.C. :

1. Heard learned counsel for the Applicant, learned APP for the State and learned counsel for respondent No.2.
2. By this Application, Applicant is seeking regular bail in Crime No. 276/2025 registered with Khadak Police Station, District Pune, for the offences punishable under Sections 318(4) and 319(2) r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 66D of the Informant Technology Act, 2000.
3. It is prosecution's case that Applicant and co-accused persuaded the first informant to invest the amount with assurance that he will get high financial returns on the invested amount. It is alleged that applicant

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and co-accused cheated the first informant for the amount of Rs.6,63,000/-.

4. It is contention of learned counsel for the Applicant that no fraud amount is received by the Applicant. The allegations against the applicant are that he acted as facilitator between co-accused Omprakash Bishnoi and Manoj Bishnoi. Applicant is behind bar for more than eight months. Applicant has no antecedents. To show bonafide, applicant has deposited Rs.1,75,000/- before the trial Court without prejudice to his rights and requested to allow the application.

5. It is contention of learned APP that Applicant was actively involved in the commission of crime, as he was in contact with co-accused Omprakash Bishnoi and Manoj Bishnoi. If applicant is released on bail, he may abscond or threaten the prosecution witnesses and requested to reject the application.

6. I have heard both learned counsel, perused the chargesheet and documents produced on record.

7. Applicant is behind bars for more than eight months. To prove his role in the crime, trial is required. There is no progress in the trial. He has no antecedents. No fraud amount was transferred in the bank account of the Applicant. It may take time to conclude the trial.

8. Considering these facts, I pass the following order:

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ORDER

- i. The applicant be enlarged on bail in Crime No. 276/2025 registered with Khadak Police Station, District Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
 - ii. The applicant shall attend the concerned police station as and when required.
 - iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)