



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [B.A.] NO. 295 OF 2026

Kuldip Ramesh Shahu S/o Ramesh Sahu

-- VERSUS --

State of Maharashtra

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

Court's or Judge's orders.

Mr. Chandrakant Bailmare, Advocate for the Applicant.

Ms. S.Z. Haider, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : MARCH 23, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.1049/2023 for the offence punishable under Sections 406, 413, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, (IPC) and Sections 66, 66(c) and 66(d) of the Information Technology Act, 2000, registered with Police Station Saoner, District Nagpur (Rural).

3. The informant, reported that on 16/11/2023, while working at Anushka Restaurant, he was approached by Vivek Tejram Chaure, who offered him Rs.2,000/- for accompanying him for some work and took him to a nearby location where Kuldeep Shahu, along with another person, allegedly took possession of the informant's Aadhaar card, PAN

card, and mobile phone. The accused allegedly photographed the informant's documents, and collected OTPs. Vivek Chaure instructed the informant that Rs.20,000/- would be credited to his bank account, of which he could retain Rs.2,000/- and the remaining Rs.18,000/- was to be handed over to the accused. However, as the account was linked to his wife, the transfer could not be completed. Thereafter, the accused allegedly misused the informant's personal documents and OTPs to open a new bank account in his name, through which funds were transferred without his consent. Based on the said information, the F.I.R. was lodged.

4. It appears from the record that this Court by its order dated 11/02/2026, has granted bail to one co-accused, namely, Surendrakumar @ Vicky s/o Ramswaroop Gautam, in Criminal Application [B.A.] No.1171/2025. The said order is based on earlier two orders, wherein this Court as well as the Supreme Court has granted bail to those respective co-accused.

5. The learned counsel for the applicant submits that the present applicant is also similarly situated and, therefore, he be granted bail on the ground of parity.

6. On the other hand, the learned A.P.P. vehemently opposes the application and submits that the applicant is the person who has withdrawn the amount and has operated fake account. She further submits that the applicant is the resident of Uttar Pradesh (UP).

7. I have considered the rival submissions. I have gone through the earlier orders passed by this Court as well as by the Supreme Court. This Court, while granting bail, in the case of ***Vivek Tejram Chawre -VS- State of Maharashtra, (Criminal Application [B.A.] No.414/2024***, dated 12/07/2024, has considered the application and granted bail, observing that *“admittedly the involvement of the present applicant appears to be in the economic offence. But now considering the investigation has already complete and the charge-sheet is already filed, further incarceration of the present applicant is not required, therefore, the bail application deserves to be allowed by imposing certain conditions.”*

Further, the Supreme Court in the case of ***Siddhant VS State of Maharashtra, arising out of SLP (Cri.) No.18607/2025***, has observed as under:-

“5. The report (charge-sheet) under Section 193 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed but the charges have not yet been framed. Prosecution proposes to examine 48 witnesses to drive

home the charges against the appellant. It is not in dispute that all relevant documentary evidence and digital records, which are likely to be led in evidence by the prosecution, have been seized. Question of tampering with the evidence is, thus, remote.

6. *That apart, we are informed that co-accused - Vivek Chaware has been enlarged on bail.*

7. *Taking an overall view of the matter, in the light of the allegations levelled in the charge-sheet, the number of witnesses to be examined and the stage of trial, we are of the considered opinion that the appellant need not be detained in custody any longer; also, since the trial is likely to take some time to conclude, he could be admitted to an order for release on bail pending trial.”*

8. Taking into consideration both the orders and the fact that this Court has already granted bail to Vivek and Surendrakumar @ Vicky s/o Ramswaroop Gautam, and the Hon’ble Supreme Court has granted bail to Siddhant, I am also inclined to grant bail on parity by imposing stringent conditions. Hence, the following order:-

ORDER

(i) The Criminal Application is **allowed;**

(ii) The applicant/accused (Kuldip Ramesh Shahu S/o Ramesh Sahu) be released

on regular bail in connection with Crime No.1049/2023 for the offence punishable under Sections 406, 413, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, (IPC) and Sections 66, 66(c) and 66(d) of the Information Technology Act, 2000, registered with Police Station Saoner, District Nagpur (Rural), on his furnishing a P.R. bond of Rs.25,000/- (Twenty Five Thousand Rupees) with two solvent sureties in the like amount, i.e., one local surety and another having permanent residence in Fatehpur, Uttar Pradesh;

(iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence;

(iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency;

(v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of

bail or even trial Court can *suo moto* take cognizance of this and cancel the bail;

(vi) Pending Misc. Application(s), if any, also stand disposed of.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN