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MHCC020171122022



**IN THE COURT OF SESSIONS FOR GREATER MUMBAI AT MUMBAI  
ANTICIPATORY BAIL APPLICATION NO. 2795 OF 2022**

Nandlal Ritlal Mandal

Age : 40 years, Occ : Service,

R/at : Charakkurd Charakkala,

Dhanbad Jharkhand – 828109.

...Applicant/Accused

Vs.

The State of Maharashtra

(At the instance of Cyber Crime police station)

...Respondent/State

**Appearances :-**

Mr. Sanjay Dubey, Ld. Advocate for the applicant/accused.

APP absent.

Mr. Santosh Pawar, Ld. Advocate for intervener.

**CORAM : H. H. THE ADDL. SESSIONS JUDGE,**

**SHRI A.A. KULKARNI (C.R. NO.24)**

**DATED : 4<sup>TH</sup> JANUARY, 2023**

**( O R A L O R D E R )**

***(Dictated and pronounced in the open Court)***

This is an application under Section 438 of Cr. P.C. for anticipatory bail. Heard Ld. Advocate for applicant and Ld. Advocate for the intervener. Perused the application, say and documents on record.

2. Ld. Advocate for applicant submitted that applicant is

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arrested by police in connection with Crime No.29/2021 registered with West Region Cyber for the offence punishable under Sections 419, 468, 469, 471 of IPC r/w Sections 66(C), (D) of I.T. Act. It is further contention that, applicant is falsely implicated in the case, no role is assigned to him and nothing is to be recovered at the instance of applicant. It is also contended that, on perusal of charge-sheet and allegations against applicant, prima facie there is no record of transfer of any amount in account of applicant. Applicant is having no criminal antecedents. It is his further contention that offence alleged against accused having maximum punishment of seven years. Applicant is ready to abide condition imposed by this Court. Hence, prayed for grant of bail in the event of his arrest.

3. Investigating Officer is absent, no say is filed on record.
4. Ld. Advocate for intervener opposed the application and prayed for rejection of the application.
5. In view of submissions from applicant and copy of charge sheet filed on record, it is alleged that, all the accused represented themselves as authorized representatives of bank and telecommunication companies and under the pretext of verification collected private information of the persons, for availing telecom services they have prepared forged documents and obtained services and stolen information. I am of the opinion that, to find out exact role of applicant his presence is necessary with police. Though charge-sheet is filed it will not prevent for further investigation. Applicant is not resident of jurisdiction of this court, hence securing his presence during investigation may be a big task. Hence, in such circumstances, securing

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presence of applicant during trial is also a big task. Hence, applicant is not entitled for relief of anticipatory bail. Hence, I pass the following order :-

**ORDER**

Anticipatory Bail Application No.2795 of 2022 is rejected and disposed of accordingly.



Date : 4.01.2023

**[A.A. KULKARNI]  
ADDITIONAL SESSIONS JUDGE  
GREATER MUMBAI**

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<b>“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”</b>		
<b>Upload Date</b>	<b>Upload Time</b>	<b>Name of Stenographer</b>
<b>9.01.2023</b>	<b>5.00 p.m.</b>	<b>PRAJWALA V. PHODKAR</b>
<b>Name of the Judge (With Court Room No.)</b>	<b>HHJ SHRI. A.A. KULKARNI (CR 24)</b>	
<b>Date of Pronouncement of JUDGMENT /ORDER</b>	<b>4.01.2023</b>	
<b>JUDGMENT /ORDER signed by P.O. on</b>	<b>7.01.2023</b>	
<b>JUDGMENT /ORDER uploaded on</b>	<b>9.01.2023</b>	