



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1124 OF 2023

Mujib Ibrahim Kandiyal Applicant

Versus

The State of Maharashtra Respondent

WITH
CRIMINAL BAIL APPLICATION NO. 1760 OF 2023

Ragib Sharif Ahmad Applicant

Versus

The State of Maharashtra Respondent

WITH
CRIMINAL BAIL APPLICATION NO. 1481 OF 2023

Mohammad Mahindu Maniyat Applicant

Versus

The State of Maharashtra Respondent

WITH
CRIMINAL BAIL APPLICATION NO. 2358 OF 2023

Shrikrishna Bhimanna Gaikwad Applicant

Versus

The State of Maharashtra Respondent

Ms. Sana Raees Khan a/w Juhi Kadu, for the Applicant in
BA/1124/2023, BA/1760/2023 and BA/1481/2023.

Mr. Satyam H. Nimbalkar i/b Mr. Abhishek U. Arote, for the

Shantanu S. Dhudum

1/6

This order is corrected as per speaking to the minutes of order dated 21/03/2025.

Applicant in BA/2358/2023.

Mr. Sameer M. Mangaonkar, APP, for the Respondent – State.

Mr. A. L. Bhingare, Police Constable, Cyber Police Station, Pune City – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th MARCH, 2025.

P.C. :

1. These applications are arising out of the same FIR, hence I am deciding these applications by this common order.

2. By these applications, the Applicants are seeking regular bail in Crime No.21 of 2022 registered with Pune City Cyber Police Station, for the offences punishable under Sections 384, 385, 386, 420, 469, 500, 501, 506 and 120-B read with Section 34 of the Indian Penal Code, 1860 (for short “IPC”) and Sections 43(A), 66, 66(D), 67 of the Information Technology Act, 2000 (for short “IT Act”), and Sections 3(i)(ii), 3(2), 3(4) of the Maharashtra Control Organised Crime Act, 1999 (for short “MCOC Act”).

3. It is prosecution’s case that the Applicants, along with co-accused, instigated the first informant and other investors to download a loan application titled “Cash advance and Small loan

Shantanu S. Dhudum

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2/6

App.”, and thereafter, they disbursed loans to the first informant and other investors. It is alleged that for repayment of loan, they threatened and abused the first informant and persons in his contact and compelled them to repay more amount than actual loan taken. It is alleged that the Applicants provided the data of other investors to the main accused and co-accused Samuel.

4. It is contention of learned counsel for the Applicants that the Applicants are behind bar for more two years and four months. Charge sheet has been filed against them. They have undergone half of the sentence of the offence registered against them. Hence, requested to allow the applications.

5. It is contention of learned APP that the Applicants along with the co-accused cheated the first informant and other investors by instigating them to download loan App. Thereafter, they would give loan of small amount and would recover huge amounts from them by threatening the investors and persons in his contact. Learned APP further submitted that the Applicants have sold the data and mobile number of several persons and sent to accused No.1 through co-accused Samuel. If the Applicants are released on bail, they may abscond. Hence, requested to reject the applications.

Shantanu S. Dhudum

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3/6

6. I have heard all learned counsels. Perused Charge sheet.
7. The allegation against the Applicants - Mujib Kandiyal and Mohhamad Maniyat that they have provided bank account details of several customers to co-accused Samuel, King and lady namely Lah Man. The allegations against the Applicant Shrikrishna Gaikwad are that he along with co-accused Swapnil Nagtilak, collected the documents and opened the bank account in the name of the labourers and taken sim cards in their names and provided to main accused Dhiraj Puneekar and Pramod Ransing. The allegations against the Applicant – Ragib Sharif Ahmad are that the fraud amount are transferred in his bank account. Though, the provisions of MCOC are applied against the Applicants but all Applicants have no antecedents.
8. Learned counsel for the Applicant - Ragib Ahmad submits that the Applicant is ready to deposit the amount of Rs.2,93,000/- before the trial Court, her statement is accepted. In my view, all the Applicants are behind bar for more than two years and four months, yet trial has not been commenced. Considering the role of the Applicants, and it may take time to conclude the trial, further detention of the Applicants are not required, and I pass following

order:-

ORDER

- i. All Applications are allowed.
- ii. The Applicants be enlarged on bail in Crime No.21 of 2022 registered with Pune City Cyber Police Station, Pune, on executing P.R. Bond Rs.50,000/- each, on furnishing one or two sureties of the like amount.
- iii. The Applicants shall attend the concerned police station as and when required.
- iv. The Applicants shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- v. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
- vi. The Applicants shall attend the trial Court's date regularly.
- vii. The Applicant Ragib Sharif Ahmad shall deposit the

Shantanu S. Dhudum

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5/6

amount of Rs.2,93,000/ before the trial Court within
one month after releasing on bail.

9. All Bail Applications are allowed in the aforesaid terms and
is accordingly disposed of.

10. All the concerned to act on the authenticated copy of this
order.

(SHIVKUMAR DIGE, J.)