Bail Order in CC No.740/PW/2026 in CR. No.200/2026 of Nagpada Police station, Mumbai of accused Bhushan Tejas Shah

(A) CASE DETAILS:

FIR NUMBER & DATE	200/2026, DATE 09/06/2026
POLICE STATION, DISTRICT AND STATE	NAGPADA POLICE STATION, MUMBAI (MAHARASHTRA)
SECTION INVOKED	318 (4), 316 (2), 3(5) of Bharatiya Nyaya Sanhita, 2023
MAXIMUM PUNISHMENT PRESCRIBED	318 (4) – may extend to seven years, and shall also be liable to fine. 316 (2) – may extend to five years, or with fine, or with both.

(B) CUSTODY & PROCEDURAL COMPLIANCE :

DATE OF ARREST	09/06/2026
TOTAL PERIOD OF CUSTODY UNDERGONE	44 DAYS

(C) STATUS OF TRIAL:

Stage of proceedings (Investigation/Charge-sheet/Cognizance/Framing of Charges/Trial)	Charge-sheet (CC No.740/PW/2026)
Total number of witnesses cited in the charge-sheet	11
Number of prosecution witnesses examined	--

(D) CRIMINAL ANTECEDENTS:

FIR No. & Police Station	--
Sections	
Status (pending/Acquitted Convicted	--

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(E) PREVIOUS BAIL APPLICATIONS:

Court	Addl. Chief Judicial Magistrate, 2nd Court, Mazgaon, Mumbai. I/c. 69th Court, Mazgaon, Mumbai.
Case No.	509/BA/2026
Outcome of case	Rejected

(F) COERCIVE PROCESSES:

Whether any Non-Bailable Warrant was issued	Not applicable as application filed at investigation stage
Whether declared a proclaimed offender	--

ORDER

1. This is subsequent bail application made by the accused on the grounds change in circumstances i.e. charge-sheet has been filed against the accused and matter is registered as CC No. 740/PW/2026. It is contended that investigation is over and no further investigation is required.

2. It is contended that the accused has been falsely implicated by the informant in this case. It is contended that the informant voluntarily handed over her trading account Zeroda Company Kite to the accused, she gave her user ID as well as password to the accused of said account. At that time the balance was Rs.9 lakhs and accused gave her Rs.2 lakhs out of the profit of trading and said material fact is suppressed by the informant in her FIR. However, she alleged the loss of entire amount of Rs.46,07,700/- due to wrong trading. There is no recovery at the instance of accused. There is no previous antecedents about the commission of any of the offence by the accused. Informant is not illiterate lady and she is well aware about the consequences of trading. Accused never induced her or forced her or misrepresented her to enter with the trading through the accused. As accused gave her Rs.2 lakhs which shows his honest intention towards the informant. It is further contended that the informant deliberately concealed the material

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fact to the police that the accused has also paid an amount of Rs.6,42,500/- through his bank account HDFC Bank having branch at Nipani Karnataka. So the intention of the accused is not dishonest. Whatever amount paid by the accused to the informant is out of profit from said trading and due to loss caused in the trading, the accused could not pay remaining amount to the informant.

3. It is further contention of the accused he is handicapped person and in order to show his physically disable, the disability certificate is attached by him with this application. In order to show that some profit as mentioned above has been paid to the informant's bank account, the statement of bank account of accused is produced. The alleged offence is triable by this Court and this Court has power to grant bail. As per the several judgments of the Hon'ble Supreme Court and observance made therein that the bail is a rule and jail is exception. Accused is ready to abide condition if any imposed by this Court. Accused prayed to allow this application.

4. Heard learned advocate Shri Mahendra Patnekar for the accused and learned APP Shri Nikhil Shinde for the State. Read the application and say. Perused FIR and remand papers. It appears that the present accused has been booked for having committed an offence punishable under Sections 318 (4), 316 (2), 3(5) of Bharatiya Nyaya Sanhita, 2023. The informant namely Smt. Suvarna Dipak Chaudhary/Badde lodged the report against the accused contending therein that when she was working as a Bus Station Manager at the Ichalkaranji, Kolhapur, one Sahil Chamanlal Shah, who worked at the HDFC Bank branch in Ichalkaranji, took out a insurance policy of Tata AI Company. Later, Sahil's brother namely Bhushan Shah (accused) persuaded her to invest in other schemes and promising high returns. Hence, the informant transferred a total amount of Rs.41,07,700/- from her bank

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accounts to various accounts provided by them. Thereafter, in 2023-2024 the informant again gave Rs.5,00,000/- at the office of Bhushan Shah. However, they have not returned her principal amount of Rs.46,07,700/-. Thereafter, the informant asked accused Bhushan about her money, he told that he would pay within 2-3 months. Later on, accused Bhushan told her that he would trade on her behalf using a Zeroda account and hence, the informant gave him her user ID and password of Ziroda Company. At that time, the informant was having Rs.9,00,000/- in her account. Accused Bhushan has generated a profit of Rs.2,00,000/- by trading in stock market. Accused Bhushan caused loss of her entire principal amount due to wrong trading. Hence, accused committed cheating and criminal breach of trust.

5. Initially bail application made by the accused came to be rejected by this Court by order dated 25/06/2026 as the investigation was in progress. However, as charge-sheet has been filed against the accused and since 44 days accused is behind the bar, no purpose would be served by keeping the accused behind the bar. The apprehension shown by the prosecution can be cured by imposing conditions. So, I am inclined to grant him bail with following conditions :-

ORDER

1. The accused Bhushan Tejas Shah be released on executing personal bond of Rs.1,00,000/- with one or two solvent sureties and on provisional cash surety of Rs.50,000/- for two months period.

2. The accused shall submit proof of his residential address and his contact mobile number as well as residential addresses and contact mobile numbers of his two close relatives in the Court at the time of furnishing bail and update the same time to time whenever it will be changed.

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3. The accused shall not travel out of India without prior permission of this Court.

4. The accused shall not tamper with evidence and not to presurrize and give threats to the witnesses in this crime.

5. Breach of any of the aforesaid conditions will be a ground for cancellation of bail.

23.07.2026

Addl. Chief Judicial Magistrate,
2nd Court, Mazgaon, Mumbai
I/c. JMFC 69th Court, Mazgaon, Mumbai

Date :23/07/2026