

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.879 OF 2023

SANJAYPRASAD S/O KAPILPRASAD PATEL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. P. P. More
APP for Respondent : Mr. Y. G. Gujrathi
...

CORAM : S. G. MEHARE, J.

DATE : 14-06-2023

PER COURT :-

1. Heard the learned counsel for the applicants and the learned A.P.P. for the respondent/State.
2. The applicants are seeking bail in C.R.No.968 of 2022 registered with Sadar Bazar Police Station, Jalna, for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code and Sections 66(c), 66(d) of the Information Technology Act, 2000.
3. After hearing the respective counsels, the Court expressed disinclination to grant bail to applicant No.1 Sanjayprasad s/o. Kapilprasad Patel as the investigation is in progress. The learned counsel seeks leave to withdraw his application. Leave granted. His application stands dismissed as withdrawn.
4. As far as the role attributed to applicant No.2 Abhishekkumar is concerned, the over all allegations against him are that he was assisting his father/applicant No.1 in opening online bank

accounts. Except the bare words, the prosecution has no evidence to believe that applicant No.2 was assisting applicant No.1. Applicant No.2 was in private service. The papers are insufficient to believe that the applicant No.2 has played an active role in the crime. He is 23 years old boy having no antecedents to his discredit. The apprehension of the prosecution that applicant No.2 may flee away from justice may be guarded by imposing certain conditions. Hence, the order:-

- i) Bail application is partly allowed.
- ii) Applicant No.2 Abhishekkumar s/o. Sanjayprasad Patel be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the aforesaid crime, on the conditions that,
 - (a) He shall furnish his mobile number to the Investigating Officer with an undertaking that he shall not change his mobile number till the conclusion of the trial.
 - (b) He shall supply his current address proof to the Investigating Officer with further undertaking that he shall communicate the Investigating Officer the new residential address if changes his current residence.
 - (c) He shall also inform if he changes his job where he is presently working to the Investigating Officer.
 - (d) He shall also furnish his pan card and family members' aadhaar cards to the Investigating Officer soon after his release on bail.
 - (e) He shall attend the trial on each and every effective date.

**(S. G. MEHARE)
JUDGE**