

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1190 OF 2023

**GAURAV DINESH SONI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**
...
Advocate for Applicants : Mr. Govind R. Ingole
APP for Respondent Nos.1 & 2 : Mr. Y.G. Gujrathi
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 12th OCTOBER, 2023

PER COURT :

1. This is second anticipatory bail application filed by applicants in Crime No.74/2017, registered with Chandanzira Police Station, Jalna, for offence punishable under Sections 406, 420 r/w 34 of the Indian Penal Code. Earlier Anticipatory Bail Application No.1748/2022 was withdrawn by applicants as applicants failed to deposit amount of Rs.10,00,000/- which was directed by this Court to show their *bona fides*.

2. In short, it is alleged in the FIR that applicants have committed criminal breach of trust and cheated informant for an amount of Rs.57,14,900/-, during period from 2015 to 2016. It is mentioned in FIR that some amount is given by applicants to informant by RTGS. FIR is lodged on 08/04/2017. Charge-sheet is filed in present case on 12/03/2019.

3. Prima facie, dispute appears to be of civil nature. Custodial interrogation of applicants, in the facts of present case, does not appear necessary. To show their *bona fides*, applicants have deposited amount of Rs.20,00,000/- in trial Court. That deposit is without prejudice to the rights of applicants and informant. Considering above circumstances applicants can be granted relief by imposing suitable conditions. Application is, therefore, allowed by confirming interim order.

4. Applicant No.1 shall attend concerned police station on every Sunday, between 10:00 a.m. to 02:00 p.m. for a period of three months from today. Applicant No.2 shall attend concerned police station on every first and third Sunday of the month, for a period of three months from today.

(NITIN B. SURYAWANSHI, J.)