

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2361 OF 2023

Ashutosh Dhirendar Maniar

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Niranjan Mundargi with Mr. Keral Mehta, Shyam P. Rinku Valanju, Kush Khandelwal i/b R. V. Leagal, for Applicant.

Smt. A. A. Takalkar, APP for State.

Mr. Pramod Kharat, PSI, Cyber Police Station, Pune Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 6th DECEMBER, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) This is an application for pre-arrest bail in connection with C.R. No. 615 of 2023, registered with Lonikand Police Station, Pune, for the offences punishable under Sections 406, 409, 420, 467, 504 and 506 of Indian Penal Code, 1860 ("the Penal Code").

3) When the application was listed before this Court on 23rd August, 2023, this Court was persuaded to grant interim bail holding, inter alia, as under:-

‘...8. The nature of the accusation is such that the investigation is warranted to ascertain as to whether there was tempering with ONID software, as alleged. Since one of the terms of the agreement between the parties was that the loss would be that of the ‘dealer’ alone, prima facie, for the mere reason that the first informant suffered losses, the allegations levelled against the applicant and the co-accused cannot be taken at their face value...’

4) The learned APP, on instructions, submits that the applicant had appeared before the Investigating Officer and co-operated with the investigation.

5) In the backdrop of the nature of the accusation and the reasons which weighed with this Court in granting the interim bail, the said order deserves to be made absolute.

6) Hence, the following order.

ORDER

I) The order of Interim Bail dated 23rd August, 2023 is made absolute on the terms and conditions incorporated therein.

II) The applicant shall henceforth appear before the Investigating Officer as and when directed till filing of the charge-sheet.

III) The applicant shall regularly attend the proceedings before the jurisdictional Court.

IV) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

V) The application stands disposed.

[N. J. JAMADAR, J.]