



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

960 BAIL APPLICATION NO. 1806 OF 2024

Ganesh Vinayakrao Patil
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Deshmukh Himmatsinh D
APP for Respondents-State: Mr. P. K. Lakhotiya
...

CORAM : ARUN R. PEDNEKER, J.

Dated : November 12, 2024.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with FIR No.I-0380/2024 dated 10/06/2024, registered with CIDCO Police Station, Chh.Sambhajinagar, for the offences punishable under sections 406, 420 r.w. 34 of the Indian Penal Code.
3. The applicant was arrested on 03/09/2024 for offenses punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code. According to the complainant, he paid Rs. 99 lakh to the applicant towards the development of software. Despite receiving the payment, the applicant/accused allegedly failed to develop the app and stopped responding to the complainant's phone calls, thereby cheating the complainant.
4. It is further alleged that, except for Rs. 5 lakh paid via bank transfer, the remaining amount was paid in cash. The investigation in the matter is complete, and a charge sheet has been filed. Notably, the

amount of Rs. 5 lakh received by the applicant is also transferred to the same bank account from which it was originally received.

5. As the applicant/accused has been in custody since 02/09/2024 and further custody is not required for the investigation, continued detention of the applicant is unnecessary in this matter.

6. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with FIR No.I-0380/2024 dated 10/06/2024, registered with CIDCO Police Station, Chh.Sambhajinagar, for the offences punishable under sections 406, 420 r.w. 34 of the Indian Penal Code, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses

and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.