

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

ANTICIPATORY BAIL APPLICATION NO. 1241 OF 2024

Akash Mahesh Kumar Modi

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. Pradnyesh Sabnis a/w. Pulkeshi Gaikwad i/b. Dinesh D. Tiwari
& Associates for Applicant.

Ms. Pallavi N. Dabholkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 6 MAY 2024

PC. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.220 of 2022 registered at Narpoli Police Station, District Thane, on 27.04.2022, under sections 420 and 465 r/w. 34 of the Indian Penal Code, under section 63 of the Copyright Act 1957 and Sections 103 and 104 of the Trade Marks Act, 1999.

2. At the outset, learned APP, as well as, the learned counsel for the applicant jointly state that the applicant's anticipatory bail application vide the Criminal Bail Application No.4444 of 2022 is pending before the Ad-hoc District Judge-1 and

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Additional Sessions Judge, Thane and the next date is on 09.05.2024. Learned counsel for the applicant submitted that, at the first instance, the applicant was protected by way of ad-interim order dated 01.12.2022. It was continued for quite some time. On various occasions, even the investigating agency had sought adjournments. Ultimately, on 24.04.2024 learned Judge refused to extend the interim relief and as of today, the applicant is without relief. Learned counsel for the applicant submitted that, one opportunity be given to the applicant to contest that application before the Sessions Court and the applicant shall not take unnecessary adjournments. He may be protected for a limited period.

3. Learned APP opposed grant of this relief. However, it can be seen that the applicant was on interim protection from 01.12.2022 i.e. for more than one year and four months. On the last occasion i.e. on 24.04.2024, learned Judge recorded that the applicant was avoiding to argue the matter by giving some excuses and, therefore, interim relief was not extended.

4. Learned counsel for the applicant has informed the

court that the next date before the learned Judge is 09.05.2024. Therefore, without going into the merits of the matter and in the interest of justice, the applicant can be protected for a limited period. It is expected that neither the applicant nor the investigating agency takes further adjournments and the matter is decided as early as possible.

5. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No.220 of 2022 registered at Narpoli Police Station, District Thane, till 16.05.2024, the applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) The Investigating Agency and the Applicant shall co-operate with the learned Judge to get the matter decided before 16.05.2024.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)