



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

**914 ANTICIPATORY BAIL APPLICATION NO. 2174 OF 2024
YASH DEEPAK JOJARE**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Sudheer Ramdas Zambare
APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.

DATE : 25.02.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No.54/2024, dated 27.06.2024, registered at Beed Cyber Police Station, District Beed, for the offences punishable under Section 294 of the Indian Penal Code & under Sections 13, 14 of the POCSO Act & under Sections 67 and 67-B of the Information Technology Act.

3] The case against the applicant is that he has made viral obscene pornographic video of a minor from his instagram account in the year 2022.

4] The learned counsel for the applicant submits that even, as per the case of prosecution, it was a solitary instance, where the applicant had received the video and

transmitted it further to the other accounts. The learned counsel submits that the applicant is not involved into general transmissions i.e. this is the singular transmission. He also submits that his mobile phone is also in the custody of the police. He submits that the maximum punishment for the offence is up to 7 years and no further custodial interrogation of the applicant would be required; as the mobile phone is in custody of the police and it is not a case of multiple transmission.

5] In view of the above, the application is allowed in the following terms :

i] In the event the applicant is arrested in connection with Crime No.54/2024, dated 27.06.2024, registered at Beed Cyber Police Station, District Beed, for the offences punishable under Section 294 of the Indian Penal Code & under Sections 13, 14 of the POCSO Act & under Sections 67 and 67-B of the Information Technology Act, he shall be released on bail on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the concerned police station on 27.02.2025 and 28.02.2025, between 10:30 a.m. to 01:30 p.m. and, thereafter, as and when required by the Investigating Officer.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

v] The applicant shall not involve in any similar offences.

6] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE