

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

ANTICIPATORY BAIL APPLICATION NO. 428/2025

ASHOK SURYAKANT MISHRA ..APPLICANT
VS
THE STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Ms.Harshada Morey i/b. Mr. D. K. Pandey for the Applicant.

Ms.Supriya Kak, A.P.P. for the State.

Mr.Balasaheb Bankar, P.I., Tulinj Police Station present.

CORAM : RAJESH S. PATIL, J.

DATE : MARCH 24, 2025.

P.C. :

. This application is filed under Section 482 of the Bhartiya
Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in
connection with the First Information Report (FIR) No.0686
registered with Tulinj Police Station, Mira-Bhayander for the offences
punishable under Sections 74 of the Bhartiya Nyaya Sanhita, 2023
and under Sections 66(E) and 67(a) of the Information Technology
Act, 2000.

2. As per the complaint, an FIR has been lodged. The role of the

present applicant is mentioned in the FIR.

3. On behalf of the applicant, it is submitted by the learned counsel for the applicant that the applicant had received a notice under Section 35(3) of the Bhartiya Nyaya Sanhita, 2023, on 8th December, 2024. He further submits that the applicant is ready to co-operate with the police and is willing to submit his mobile phone instrument alongwith password to the concerned police station on 14th February, 2025 itself.

4. The statement made by the learned counsel for the applicant submits that the applicant was directed to remain present before the Investigating Officer in order to submit his mobile and to record his statement. He submits that the applicant has attended the Office of the Investigating Officer and submitted his mobile phone. She submitted that the custody of the present applicant is not necessary.

5. The learned counsel for the applicant submits that there are various matrimonial proceedings pending between the first informant and her husband and in-laws. The present applicant is the brother-in-law of the first informant. Out of vengeance, the present FIR has been lodged against him.

6. The learned A.P.P. submits that the Investigating Officer is

present in Court and submits that the mobile phone of the present applicant has been received by the Investigating Officer and as of today, the Investigating Officer does not require the custody of the present applicant.

7. Since the applicant has co-operated with the police as of today, the custody of the present applicant is not necessary. According to me, a case is made out to grant interim protection to the present applicant subject to conditions. Hence, the following order :-

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with First Information Report (FIR) No.0686 registered with Tulinj Police Station, Mira-Bhayander for the offences punishable under Sections 74 of the Bhartiya Nyaya Sanhita, 2023 and under Sections 66(E) and 67(a) of the Information Technology Act, 2000, the applicant shall be released on bail, on furnishing PR. bonds to the extent of Rs.30,000/- with two

or more sureties of the like amount.

(c) The applicant shall co-operate with the investigation and attend the Investigating Officer of the concerned Police Station on every Thursday's of every week between 11:00 a.m. to 1:00 p.m., till filing of the charge-sheet.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

(f) The applicant is directed not to contact the first informant or her family members in any form whatsoever.

(g) If the applicant violates any of the conditions, the protection granted to the present applicant is likely to be revoked.

8. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)