IN THE HIGH COURT OF JUDICATURE OF BOMBAY

BENCH AT AURANGABAD

BAIL APPLICATION NO.2448 OF 2025

Akshay Eknath Khadse … **APPLICANT**

VERSUS

The State of Maharashtra … **RESPONDENT**

....
Mr. H.P. Randhir, Advocate for applicant
Mr. P.P. Dawalkar, A.P.P. for respondent – State
...…

CORAM : SACHIN S. DESHMUKH, J.
DATE : 9th FEBRUARY, 2026

PER COURT :

1. By this application, the applicant seeks release on regular bail in connection with Crime No.050/2023, registered with Jalgaon Cyber Police Station for the offences punishable underSections 420 read with Section 34 of the Indian Penal Code and Section 66(d) of the Information Technology Act.

2. The prosecution case is that,on 7/11/2023, the informant opened an unknown and unverified Telegram link which proposed to make additional income of Rs.10,000/- to Rs.30,000/- pr day. Therefore, on 19/11/2023, the informant clicked on that link

and joined the unknown Telegram group, on which he was given task to like photos of celebrities on Instagram handle. After completion of tasks, he was asked to send the screen shot of the same to the Telegram channel. He was migrated to a group named Coinswitch & INS Group. In the task, the informant was offered Rs.50/- on the task done and thus an amount of Rs.150/- was credited to his Bank account. The informant was given more tasks and thus started to invest money by making payments to several UPI IDs and made a total payment of Rs.12,42,370/-, but he received amount of Rs.9150/- only. The applicant gained the confidence of the informant and induced him to make further payments and thereby cheated him.

3. Learned counsel for the applicant submits that, the applicant has been falsely implicated in the present case and the applicant is not beneficiary of the alleged scam. The applicant has been implicated as accused on suspicion. As such, prayed to allow the application.

4. Per contra, learned A.P.P. vehemently opposed the application, contending that the offence is serious in nature and the applicant has duped the informant of Lakhs of Rupees.

5. Having heard the learned counsel for both the sides and upon perusal of the record including charge sheet indicates that initially the F.I.R. was registered against unknown persons and eventually the name of the applicant surfaced during investigation, wherein it was discovered that the duped money was transferred in the Bank Account of co-accused while the Mobile number of the present applicant was linked to it.

6. Apart from the aforesaid aspect, prima facie there is nothing on record against the applicant to show the applicant had induced the informant to deposit the money. Moreover, the said account stands in the name of co-accused and was maintained by him. As such, prima facie it cannot be ascertained if the money was misappropriate by the present applicant.

7. the applicant is arrested on 27/8/2025 and is in custody since more than 5 months. Moreover, the offences are triable by Magistrate and are not punishable by death sentence or life imprisonment.

8. Nevertheless, the investigation is complete for all intents and purpose. In that view of the matter, further custody of the applicant is not warranted.

9. Hence the order :

<u>O R D E R</u>

(i) Bail Application is allowed.

(ii) The applicant Akshay Eknath Khadse be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :

(a) The applicant shall not tamper with the prosecution witnesses in any manner.

(b) The applicant shall remain present on each date, unless exempted by the trial Court.

(iii) Needless to state that, the observations rendered herein are confined to the present application, and the trial Court shall decide the trial on its own merits and in accordance with law.

(SACHIN S. DESHMUKH, J.)

fmp/-