



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

ANTICIPATORY BAIL APPLICATION NO. 1469 OF 2025

PRAYAS ALIAS SHANBHURAJE DATTATRAYA BHOSALE

VERSUS

THE STATE OF MAHARASHTRA

WITH

CRIMINAL APPLICATION NO. 3650 OF 2025
IN ABA/1469/2025

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Advocate for Applicant : Mr. Kadam Gajanan G.

APP for Respondents/State : Mr. R. K. Ingole

Advocate for the Informant : Mr. Andhale S.R.

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CORAM : MEHROZ K. PATHAN, J.

DATE : 18th FEBRUARY 2026

PER COURT :

1. Heard the learned Counsel for the Applicant, the learned Counsel for the Informant and the learned APP for the State.
2. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.266/2025 registered with Anand Nagar Police Station, District Dharashiv for the offences punishable under Section 316(2), 318(4), 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023.
3. The learned Counsel for the Applicant submits that this Court, vide interim order dated 30.09.2025, was pleased to record

the undertaking given by the Applicant that he had issued a demand draft of the remaining balance amount of Rs. 5.5 Lakhs in the name of the Informant, Manisha Waghmare, and that the same would be handed over to her on 03.10.2025. On 03.10.2025, when the matter was listed, this Court again took note of the fact that the demand draft of Rs. 5.5 Lakhs was handed over to the learned Counsel for the Informant, who expressed no objection to protecting the Applicant in view of this development. Accordingly, this Court, vide order dated 03.10.2025, was pleased to protect the Applicant by granting ad-interim bail. The learned Counsel for the Applicant further submits that, as the investigation has already been completed and the charge-sheet is filed by the prosecution, there remains nothing to be investigated against the Applicant. Moreover, the entire amount alleged to have been paid to the Applicant as stated in the FIR has already been paid to the complainant. The custodial interrogation of the Applicant therefore may not be necessary. Hence this Court may grant anticipatory bail to the Applicant by confirming the interim order dated 03.10.2025.

4. The learned APP submits that although the Applicant has failed to cooperate with the investigation, it is conceded that the charge-sheet has already been filed before the trial Court after completion of the investigation against the Applicant, and there is no necessity for custodial interrogation of the Applicant. It is further noted that the Applicant has paid an amount to the Informant, as recorded by this Court in its order dated 03.10.2025. The learned

Counsel for the Informant also confirms that the charge-sheet has already been filed and that the Informant has received the amount alleged in the FIR, for which the offence of cheating was registered against the Applicant. Hence, this Court may pass appropriate orders.

5. I have gone through the allegations made in the FIR, the order dated 30.09.2025, and the subsequent order dated 03.10.2025 passed by this Court granting ad-interim bail to the present Applicant. The allegations in the FIR indicate that the Applicant was only alleged to have failed to pay the amount taken from the Informant. The Applicant had already paid part of the amount to the complainant through UPI, but some balance remained unpaid. The question of whether an offence of cheating or criminal breach of trust is made out can best be left to the trial Court, which will appreciate the evidence led by the prosecution. However, at this stage, I do not find any impediment in confirming the interim order dated 03.10.2025, particularly since the charge-sheet has already been filed against the Applicant. I am therefore inclined to protect the Applicant in exercise of powers under Section 482 of the BNS. Hence the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 03.10.2025 is hereby confirmed.
- (iii) The Applicant is directed not to tamper with the evidence.

(iv) The Applicant shall attend the trial on each and every date unless so exempted by the trial on emergency conditions.

(v) The Applicant shall submit his Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of himself and two of the near relatives.

(vi) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the present Applicant on that ground.

(vii) With the aforesaid directions, the application is disposed of.

(viii) The application for assisting the prosecution is also disposed of.

MEHROZ K. PATHAN
JUDGE

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