

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

**ANTICIPATORY BAIL APPLICATION NO. 349 OF 2023**

Akshay Krishendra Kumar Yadav

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....  
Mr. H.P. Randhir, Advocate for applicant  
Mr. A.A. Jagatkar, A.P.P. for respondent - State  
....

**CORAM : R.G. AVACHAT, J.  
DATE : 25<sup>th</sup> APRIL, 2023**

**PER COURT :**

1. This is an application under Section 438 of Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No. 17 of 2021 registered with Cyber Police Station, Dist. Jalgaon for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code ('I.P.C.') and under Section 66D of the Information Technology Act, 2000.

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. On investigation of crime, charge-sheet has been filed. True, the applicant is shown to have been absconding. Although the offence appears to

be serious one, the prosecution so far could not point out anything incriminating against the applicant or even a slightly role played by the applicant in the crime. In view of same, the applicant is granted protection for a limited period, since investigation is still underway, so far as regards applicant's role is concerned.

4. In the factual backdrop of the case, application is allowed in terms of following order :-

#### **ORDER**

(I) Application is allowed.

(II) In the event of arrest of the applicant for next four months, in connection with Crime No. 17 of 2021 registered with Cyber Police Station, Dist. Jalgaon for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code and under Section 66D of the Information Technology Act, 2000, he be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety in the like amount.

(III) The applicant shall appear before the investigating officer twice a month i.e. on 1<sup>st</sup> and 15<sup>th</sup> day of every month by 12:00 noon until he allowed to leave by the concerned investigating officer.

(IV) This order regarding attendance before the investigating officer is in addition to the requirement of the

investigating officer to seek his presence as and when required for the purpose of investigation.

(V) The applicant shall not tamper with the prosecution evidence.

(VI) The applicant may again apply for anticipatory bail post duration of this order is over. If such application is made, the same would be decided on its own merits.

( R.G. AVACHAT, J. )

SSD