IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.868 OF 2015

Mrs. Vidya Rajendra Pagare ..Applicant
Versus
The State of Maharashtra ..Respondent

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Mr. Rameshwar N. Gite, Advocate for the Applicant.
Ms. Veera Shinde, APP, for the Respondent – State .

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CORAM : A. R. JOSHI, J.

DATE : 8th MAY, 2015

P.C.

1. Heard learned Counsel for the applicant. Also heard learned APP for the State.

2. This is an application for regular bail in the matter of C.R. No.I-39/2015 registered with Chandwad police station, Nashik for the offences punishable under sections 420, 489A read with Section 34 of IPC and Sections 2 and 3 of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013.

3. The facts, as narrated in the first information report, are very peculiar in nature inasmuch as the complainant woman was got introduced with husband of the present applicant on the premise that the cash amount will be multiplied if some amount is given to the concerned party. In fact, a representation was made to the complainant by the co-accused that the amount will be multiplied to many extent and there would be huge profit. As such, being lured by this greed for money, the complainant and her other associates collected a sum of about Rs.12,85,000/- and gave it to the husband of the present applicant herein. He posed himself as a someone like “Maharaj”. In fact a sort of demonstration was shown to the complainant and her other friends in one deserted room and in which the heap of currency notes was shown to the complainant and others and they were asked to bring money so that their money can be multiplied.

4. After giving money, as mentioned above, the complainant and others waited for getting returns from the husband of the present applicant but they could not find the whereabouts of said 'Maharaj' and they were in search and

ultimately they could trace him and demanded the money. On this, the husband of the applicant assured them that his wife (the applicant) would bring money and then it will be distributed amongst the complainant and others. But then also the money was not brought and not returned back to the complainant and others. Consequently the complaint was lodged by the first informant woman.

5. During the investigation, the police arrested the present applicant, wife of the main accused, on the premise that in the complaint assurance was given by the main accused that his wife would bring money and it will be distributed to the complainant and others. By pointing out this, learned APP submitted that the wife (applicant) is a conspirator and as such is equally responsible for the acts of her husband. Learned APP further stated that the house of the present applicant was raided and one coloured printer was seized, allegedly which was being used to prepare counterfeit currency notes out of blank papers.

6. Apparently, apart from these submissions and seizure of a coloured printer, there is nothing as against the present

applicant except that she is wife of the main accused.

7. Considering these circumstances and considering that there is nothing by way of any statements at least at this stage regarding involvement of the present applicant specifically in association with her husband and taking part in giving assurances and false promises to the complainant and others, there is nothing as against the present applicant and as such her further custody is not warranted. Hence the order :

:: O R D E R ::

[i] Criminal Bail Application No.868 of 2015 is allowed;

[ii] The applicant shall be released on bail on her executing a PR bond in the sum of Rs.20,000/- (Rupees Twenty Thousand Only) with one or two sureties for the like amount;

[iii] Criminal Bail Application is accordingly disposed of.

(A. R. JOSHI, J.)

Deshmane (PS)