

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION (BA) NO.439/2015**

(Mrs. Maya w/o Mahendra Agrawal and anr. ..vs.. State of Maharashtra through
Officer Incharge, P.S. Wardha city, Wardha)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Harish Dangre, Advocate for applicants.

Mr. S. S. Doifode, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATE : SEPTEMBER 2, 2015.

This is an application for bail

Heard Mr. Dangre, learned counsel for the
applicants and Mr. Doifode, A.P.P. for non applicant.

The applicants are arrested on 09.03.2015
in connection with Crime No. 588/2014 registered
with Police Station Wardha City, Dist. Wardha for the
offence punishable under Sections 420, 506 read
with Section 54 of the Indian Penal Code and
Sections 3 and 4 of the MPID Act. The learned
counsel for the applicants submitted that
investigation is over and charge-sheet is already filed.
He further submitted that the only role attributed to
applicant no.2 is that he has extended some threats,
which according to him, is a bailable offence and,
therefore, surely at least applicant no.2 is entitled to
be released on bail.

After having considered the prosecution
case, it is crystal clear that applicant no.1, who is wife

of applicant no.2, posed herself as operator of one Mahila Bachat Gat and thus she allured women from lower strata of the society, collected Rs.100/- per month from them for about three years and misappropriated the same.

The victims are financially oppressed persons. They are the easiest prey for the persons like the present applicants. The allurements to such persons impressed their minds and they easily get themselves in the trap laid by the persons like the applicants. Further, though the investigation is over and the charge-sheet is filed, the applicants cannot be released on bail for the reason that the victims are mostly ladies from the poor society. If the applicants are released on bail, the apprehension of the learned A.P.P., that they will influence the victim and tamper with the prosecution case, cannot be rejected. Looking to the social status of the witnesses and the prosecution case, it shows that the applicants had already influenced the minds of the victim and fetched a considerable amount from them, I see no reason to release the applicants on bail.

In view of above, Criminal Application No. 439/2015 is rejected.

JUDGE