

(1)

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

CRIMINAL APPLICATION NO. 620 OF 2016

Godabai @ Godawari w/o Dattatraya Dahiphale
(Godabai @ Godawari D/o Ramrao Latpate) ...APPLICANT

VERSUS

The State of Maharashtra ...RESPONDENT

WITH
CRIMINAL APPLICATION NO. 622 OF 2016

Sau. Sumitrabai @ Sowmitrabai w/o Balaji Latpate ...APPLICANT

VERSUS

The State of Maharashtra ...RESPONDENT

Mr J. M. Murkute, Advocate for applicants;
Mr U. S. Mote, Addl. Public Prosecutor for respondent;
Mr M.G. Biradar, Advocate to assist Addl. Public Prosecutor

CORAM : N.W. SAMBRE, J.

DATE : 2nd March, 2016

ORDER :

Heard.

2. By these applications under section 439 of the Code of Criminal Procedure, the applicants seek their release on bail, in connection with C.R. No.78 of 2015, registered with Kotwali police station, Parbhani, for offences punishable under sections 420, 409 read with section 34 of the Indian Penal Code.

(2)

3. Though four accused are named in the first information report, the main accused Balaji, from whom an amount of Rs.3,75,000/- was recovered, has already been granted default bail. The allegation in the first information report is that the applicants were instrumental in providing assistance to the complainant for getting sanctioned the financial aid from the statutory corporation in the name of the complainant and without passing on the benefit of the said amount, they have withdrawn the amount from the account of the complainant and misappropriated the same.

4. Perused the investigation papers. It is not in dispute that the main accused Balaji is already granted default bail. Apart from that, the fact remains that nothing is recovered from the applicants during the investigation, though they were subjected to custodial interrogation. It is further required to be noted that the applicants are behind bars from last about three months. The applicants are women. In view thereof, in my opinion, their further detention is not necessary. I, therefore, pass following order :-

The applicants be released on bail, in connection with C.R. No.78 of 2015, registered with Kotwali police station, Parbhani, for offences punishable under sections 420, 409 read with section 34 of the Indian Penal Code, on each of them furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

(3)

The applicants shall not tamper with the prosecution evidence.

Criminal Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

amj