

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.388 OF 2017

Sau.Sushila Manohar Pawar ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.S.P. Dighe for the Applicant

Mr.Deepak Thare, APP, for Respondent – State

Mr.J.A. Pale, Investigating Officer, EOW, Nashik Rural – present

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: MARCH 2, 2017**

P.C. :

1. This application is filed by the applicant/accused for pre-arrest bail as the applicant/accused apprehends arrest in C.R. No. 5 of 2017 registered with Kalwan Police Station, District Nasik, for the offences punishable under sections 406, 408, 420, 467, 468, 471 r/w section 34 of the Indian Penal Code. The complaint was filed by one Narayan Dhrupatrao Gadhekar, Special Auditor.

2. The applicant/accused was working as a Director of Bhila Daji Pawar Rural Non-Agricultural Cooperative Society Ltd. from 2006 to 2016. Alongwith other Directors, she was facing allegations when the Directors of the said Society alongwith

Cashier and Manager have conspired and disbursed unaccounted loans to borrowers for more than their demand and thus, the cooperative society had suffered financial losses to the tune of Rs.1,24,77,895/-. Hence, the applicant is prosecuted and therefore, this application.

3. The learned Counsel for the applicant/accused submits that the applicant/accused is a homemaker. She was a Director between 2006 to 2016 and she is ready to accept the financial liability towards losses of the bank dated Rs.1 lakh under protest to show her bonafides. He submitted that earlier, one applicant/accused Usha Bharat Aher, who is also a homemaker and a Director, was directed to deposit Rs.1 lakh. He prays for parity.

4. Learned Prosecutor opposes the application as it is a case of cheating of a cooperative society.

5. Perused the FIR. In this case, most of the Directors, as per the directions given by this Court, have deposited amount of Rs.5 lakhs each and one Director Mrs.Usha Bharat Aher was asked to deposit Rs.1 lakh. Therefore, the present applicant/accused is also

directed to deposit Rs.1 lakh on or before 17.3.2017. In view of this, pre-arrest bail is granted on the following terms:

- a) In the event of arrest, the applicant-accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/- with one or two solvent sureties in the like amount;
- b) The applicant-accused shall cooperate with the Investigating Officer and attend the concerned police station as and when called;
- d) The applicant-accused shall not tamper with the evidence;
- e) The applicant-accused shall not abscond or leave India without prior permission of the Court and furnish his permanent address to the Investigating Officer alongwith documentary proof of his address.
- f) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

6. Anticipatory Bail Application is disposed of on the above terms.

(MRIDULA BHATKAR, J.)