

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

ANTICIPATORY BAIL APPLICATION NO. 2330 OF 2019

Jayashree Sambhaji Bhosale alias

Jayashree Milind Dangre

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Shyamrishi Pathak i/b. S.C.Pal, Advocate for the Applicant.

Ms. S. S. Kaushik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 22nd OCTOBER, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 878 of 2019 registered with Foujdar Police Station, Solapur, under sections 417, 420 and 421 r/w. 34 of the Indian Penal Code.

2. The FIR is lodged on 08/08/2019 by one Ulpatai Suravase. She has stated in her FIR that she was follower of a spiritual guru. She was knowing other devotees. She has named the applicant and one Milind Dangre, Vitthal Sonawane, Mukund Wamne etc. as some of the devotees. She has further stated in her FIR that, in November, 2018 accused Vitthal, Milind, Mukund and

the applicant came to her house in Solapur. Milind told her that the spiritual guru was to come to Phaltan on 09/12/2018. He further told her that she should not disclose that fact to anybody. He was collecting money for constructing a temple and he needed money to bring that spiritual guru to Phaltan. He demanded Rs.2 lakhs. Accordingly, the first informant and her friends collected Rs. 2 lakhs and paid to Milind. Thereafter, on 09/12/2018 the informant went to Phaltan to attend that programme. At that time, instead of the spiritual guru one impostor appeared there. The first informant immediately realised that she was cheated. Thereafter she approached Milind and Vitthal for returning her money, but that money was not returned and FIR came to be lodged.

3. Heard Mr. Pathak, learned counsel for the applicant and Ms. Kaushik, learned APP for the State.

4. Learned counsel for the applicant submitted that the applicant had not accepted money from the informant. She had not made any representation. The representation was made by Milind and money was accepted by him. Learned counsel for the applicant relied on the order passed by this court on 16/10/2019

in ABA No.2271 of 2019, in which, Mukund Wamne and others were granted anticipatory bail. He claimed parity with Mukund. Learned APP states that the investigating officer is not present, however, she agrees that the role of the applicant is same as that of Mukund who is granted anticipatory bail.

5. I have considered these submissions. The ground of parity is definitely available to the applicant because her role is similar to that of Mukund who is granted anticipatory bail. The representation was made by Milind and money was accepted by him. Hence, at this stage, custodial interrogation of the applicant is not necessary, though, she will have to co-operate with the investigation.

6. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R. No. C.R.No. 878 of 2019 registered with Foujdar Police Station, Solapur, the applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

- (ii) The applicant shall attend the concerned Police Station as and when called and shall co-operate with the investigation.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)