

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

CRIMINAL BAIL APPLICATION NO. 280 OF 2021

Babita Kamtha Soni

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Ali B. i/b. Mr.Kishan Chaudhari, Advocate for the Applicant.
Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th FEBRUARY, 2021.

PC :

1. The applicant is arrested on 15th September, 2020 in connection with C.R. No. 827 of 2020, registered with Vijapur Naka Police Station, for the offences punishable under Sections 406, 420 r/w. 34 of Indian Penal Code, 1860 (“IPC” for short) and Sections 5, 4 of MPID Act.

2. The case of the prosecution is that, several investors have invested amount in the company to whom returns were promised. During the course of investigation, statement of about 14 investors were recorded. On completing investigation, charge-sheet is filed against the applicant. Subsequently, supplementary charge-sheet is also filed.

3. The contention of the applicant is that none of the investors had stated that the applicant had, at any point of time, induced them to invest the amount. The husband of the applicant is also arrested and he is in custody. The amount alleged to be misappropriated is to the tune of Rs.50,95,000/-.

4. Learned APP on instructions in fairness submitted that the properties of the applicant's husband approximately valued Rs.57,00,000/-, is seized and attached during the course of investigation.

5. Investigation is completed and charge-sheet is filed. Further detention is not necessary.

6. Hence, I pass the following order.

ORDER

- i) Bail Application No. 280 of 2021, is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 827 of 2020, registered with Vijapur Naka Police Station on executing P.R. bond in the sum of Rs.25,000/-(Rupees Twenty Five Thousand Only) with one or more sureties in the like amount;

- iii) The applicant shall report investigating officer once in three months on every first Saturday between 11.00 am. to 1.00 pm. till further order;
- iv) Applicant shall not tamper with the evidence;
- v) The applicant shall attend the trial Court on every date of hearing, unless exempted by the trial Court;
- vi) The applicant is permitted to furnish provisional Cash Bail Security in the sum of Rs.30,000/- for a period of four weeks in lieu of surety;
- vii) Bail Application stands disposed of accordingly.
- viii) This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)