

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1452 OF 2019

Ranjana Ramchandra Nikam & Ors. ..Applicants

V/s.

The State of Maharashtra ..Respondent

**WITH
INTERIM APPLICATION NO.2156 OF 2021**

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1452 OF 2019

Vidya Namdev Sapkal ..Applicant

V/s.

The State of Maharashtra ..Respondent

NILAM
SANTOSH
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Date: 2021.09.04
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**WITH
INTERIM APPLICATION NO.1146 OF 2019**

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1452 OF 2019

Ananda Suresh Raut ..Applicant

IN THE MATTER BETWEEN

Ranjana Ramchandra Nikam & Ors. ..Applicants

V/s.

The State of Maharashtra & Anr. ..Respondents

Ms.Manisha A. Devkar for the Applicant in ABA No.1452 of 2019.

Ms.Rekha Musale i/b Mr.Nitin Rajguru for the Applicants in IA No.1146 of 2019.

Mrs.Veera Shinde, APP for the Respondent-State.

Mr.P.R. Umap, PSI, EOW Satara is present in Court.

CORAM : C.V. BHADANG, J.

DATE : 4 SEPTEMBER 2021

P.C.

. The applicants Ranjana Nikam and her son Vikram Nikam are seeking anticipatory bail in connection with Crime No.142 of 2019 of Phaltan Police Station under Section 420 read with Section 34 of the Indian Penal Code ('IPC' for short).

2. The prosecution case is that the accused had floated Shivajit Mudra Multi-State Credit Co-operative Society and had collected various amounts from different *Bachatgat*. The accused, had either failed to pass receipts or deposit the said amount in the account of the said society with the IDBI Bank and thus have cheated the depositors who are members of the *Bachatgats* to the tune of Rs.53 lakhs and odd.

3. I have heard the learned counsel for the applicants and the learned Additional Public Prosecutor and the learned counsel for the intervenors/depositors. With the assistance of the learned counsel for the parties I have perused the record. It may

be mentioned that according to the prosecution the partial investigation is complete and the charge-sheet is filed. I have also gone through the charge-sheet and the documents produced.

4. *Prima facie* the applicants are stated to be the Managers of the said Society of which the Directors have already been arrested and are stated to be in custody.

5. The learned Additional Public Prosecutor had pointed out the statement of Manisha Jagdale, Vidhya Sakpal and Rupali Salunkhe, in order to point out that the applicants were acting in collusion with the other accused who are the Directors. The learned counsel for the applicants had pointed out that there are several receipts which are annexed to the charge-sheet which would show that the Applicant Ranjana Nikam had deposited various amounts in the account of the Society with the IDBI Bank.

6. I have gone through these receipts and *prima facie* it appears that the applicant Ranjana Nikam have deposited various amounts in the account of the society with the IDBI Bank. The record discloses that interim protection was granted to the applicants on 8th July 2019 and the same is operating since then.

7. The learned counsel for the Intervenor pointed out that the applicants have tampered with the prosecution evidence, inasmuch as the applicants coerced the complainant to file an affidavit in the Anticipatory Bail Application before the Sessions Judge. In my considered view any such apprehension can be taken care of by imposing appropriate conditions.

8. Considering the overall circumstances, and the fact that during the course of the investigation, the Investigating Officer has seized several receipts, under which the applicant Ranjana Nikam is shown to have deposited sizable amounts in the account of the society with the IDBI Bank and the applicants are stated to be the employees of the societies working as Managers and further having regard to the fact that partial investigation is complete and the charge-sheet is filed and interim protection is operating in favour of the applicants. I find that the application can be granted.

9. In the result, the following order is passed.

ORDER

(i) In the event of their arrest in connection with investigation of Crime No.142 of 2019 of Phaltan Police Station, the applicants shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/-

each with one or two solvent sureties each in the like amount.

(ii) The applicants shall co-operate with the Investigating Agency as and when required and shall not tamper with the prosecution evidence/witnesses.

(iii) In the event of breach of any of the conditions liberty to the prosecution to apply for cancellation.

(iv) In view of the disposal of the application, the application for intervenrion is disposed of.

C.V. BHADANG, J.