

ISM

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

ANTICIPATORY BAIL APPLICATION NO. 2579 OF 2021

1. GANESH SUKRYA KAMDIAPPLICANTS
2. SAU SANGEETA GANESH KAMDI

V/s.

THE STATE OF MAHARASHTRARESPONDENT

**WITH
INTERIM APPLICATION NO. 2621 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO. 2579 OF 2021**

RUCHITA BHALCHANDRA PIMPALEAPPLICANT

IN THE MATTER BETWEEN

GANESH SUKRYA KAMDI AND ANRAPPLICANTS

V/s.

THE STATE OF MAHARASHTRARESPONDENT

Mr. Sanjay Patil for the applicant
Ms. A. A. Takalkar APP for the State
Mr. Vivek V. Salunke i/b Dinesh R. Shinde for intervenor

CORAM : NITIN W. SAMBRE, J.

DATE: 16th NOVEMBER, 2021.

P.C.:

1] Application to the extent of applicant no. 1 has rendered infructuous as it is informed that applicant is already taken in custody.

2] As far as applicant no. 2 is concerned, the only role attributed to her is, she being a member of Treasury Committee has approved release of amount towards purchase of fish seeds/food. Though neither such fish seeds were received nor fish food was supplied, still the amount is claimed to have been released in favour of suppliers.

3] It is informed that amount which was released in favour of Shree Enterprises was further transferred to the account of accused no. 1 who is already arrested.

4] In the aforesaid background, it is apparent that even if the applicant is a party to decision making process about allocation of fish food supply and fish seeds procurement to Shree Enterprises, applicant is not party to the release of amount in favour of Shree

Enterprises i.e. cheque issued.

5] At the most the role attributed to the applicant can be termed as irregularity and not illegality or not criminal act. Case for protection is made out.

(I) In the event of arrest of applicant no. 2 in C.R. No. I-342/2021 registered with Shahapur Police Station for Offences punishable under Sections 409, 420 r/w 34 of the Indian Penal Code, he be released on bail on furnishing P.R. bond in the sum of Rs. 15,000/- with one or more sureties in the like amount.

(ii) Applicant shall attend the Investigating Officer from 23/11/2021 to 25/11/2021 between 10.00 a.m. to 12.00 noon and thereafter, as and when directed.

(iii) Applicant shall neither tamper with evidence nor influence the witnesses in any way.

6] Application stands disposed of.

[NITIN W. SAMBRE, J.]