

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1419 of 2022**

Safia M.T and Anr .. Applicants
Versus
The State of Maharashtra .. Respondent
...

Mr. G.S.Jadhav i/b B.A. Aloor for the applicants.
Mr.S.V.Gavand, APP for the State.

**CORAM: BHARATI DANGRE, J.
DATED : 21st JULY, 2022**

P.C:-

1 All the applicants are residents of State of Kerala and they are apprehending their arrest in C.R.No. 68/2022 registered with Meera Road police station on 18/2/2022.

3 The complainant lodged a report to the police station alleging that she was in Armed Forces and was recruited as a Nurse. On performing marriage in the year 1980, she gave birth to a child in the year 1985 who was mentally retarded. To care for her son, she accepted Voluntary Retirement.

She started residing at Bhayendar and frequently used to operate her Facebook account in the name of Sushila Thakur. On Facebook, she was acquainted with one Badruddin Munir –

accused no.1 and started chatting with him. She narrated him her woes and he informed her that by black magic, her son can be cured. Since she was also anxious with the condition of her son, she transferred a sum of Rs.80,000/- in the account of accused no.1 in Kerala through RTGS. In the entire FIR, the complainant has narrated the different amounts transferred by her for the purpose of performance of puja ceremony. His wife Safia as well who is applicant no.1 also accepted the amount. He along with his wife visited the residence in the year 2019 when she again transmitted the amount of Rs.1,20,000/-. She was even persuaded to get married by giving an impression that marriage may bring some solace to her difficulties. One person projected as a well known lawyer was the proposed bridegroom and the marriage was also fixed. However, the marriage could not be performed and it was informed that the Priest had sustained her injuries and she transferred certain amount for his treatment.

The perusal of the complaint would reveal that the complainant had transferred a sum of Rs.1,92,35,000/- to the accused persons. As far as applicant nos.2 and 3 are concerned, a sum of Rs.6.40 lakhs and 19.80 lakhs has been transferred to their account. Murshid, who is also co-accused, received sum of Rs.85 lakhs. In the wake of the accusations, since all the transfers effected by the complainant in distinct accounts of the accused persons are bank transactions, and there is no denial that the said amount is received, Though the submission of the learned

counsel is to the effect that the accused no.1 has withdrawn the amount from the various accounts of the co-accused. Their custodial interrogation is very much warranted.

Application is rejected.

(SMT. BHARATI DANGRE, J.)