

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1092 OF 2020**

Anjusha Ajit Kadam and Anr .. Applicants
Versus
The State of Maharashtra .. Respondent

WITH
INTERIM APPLICATION NO.77 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO. 1092 of 2020

ICICI Bank Ltd .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Kamanna Kapoor for the applicants.
Mr.Zakir Hussain with Saeed Khan i/b M/s.H & M Legal
Associates for the intervenor.
Mr.S.V.Gavand, APP for the State.

**CORAM: BHARATI DANGRE, J.
DATED : 19th OCTOBER, 2022**

P.C:-

1 In continuation of the detailed order passed on
28/9/2022, where it was argued by the counsel for the applicants
in the said application that they are also victims of the modus

operandi adopted by main accused Shefali and their amounts have come to their account in investment made by them and it was received under an impression that this is the return of their investment.

2 The prosecution allege that an amount of Rs.One Crore Forty lakhs is received by Anjusha. It is not in dispute that the account of the applicant no.1 in the said application in the HDFC bank has been frozen during the course of investigation, which has an amount of Rs.76,32,845/- in it.

3 Learned counsel for the applicants make a categorical statement that according to her, what has come to her account is Rs.1,07,43,000/- and not Rs.1,40,00,000/-.

She has instructions to make a statement that the applicants shall deposit Rs.31,10,955/- in this Court provided some time is granted. She states that the amount shall be arranged within a period of six weeks from today.

The learned APP state that the amount can be deposited in HDFC Bank since what is frozen is the debit but the amount can always be credited into the said account.

4 In the wake of the aforesaid statement, to the effect that the applicants shall deposit a sum of Rs.31,10,955/- in her HDFC Bank Account within a period of six weeks from today.

In the wake of the aforesaid statement, though there is some dispute about what is the total amount which has come to the account of the said applicants, the large portion of the amount being available to the prosecution by freezing the existing account and it being topped up against further amount of Rs.31,10,955/- as undertaken by the learned counsel, on instructions of the applicants, the custodial interrogation of the applicants is not necessary.

Hence, the following order.

ORDER

- (a) In the event of their arrest, the Applicant no.1 Anjusha Ajit Kadam and applicant no.2 Ajit Abaji Kadam in connection of C.R.No.715/2020 registered with MHB police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each with one or two sureties of the like amount.
- (b) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(c) The applicants shall report the Investigating Officer on every Thursday and Friday between 3.00 pm to 5.00 p.m for a period of four weeks commencing from 27/10/2022.

The Application is allowed in the aforestated terms.

In view of the disposal of Anticipatory Bail Application, IA No.77 of 2021 do not survive and is disposed off.

(SMT. BHARATI DANGRE, J.)