

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.72 OF 2023

Sushilabai Tukaram Dusane
and another

.... Applicants

Versus

The State of Maharashtra
and another

.... Respondents

.....
Mr. Shrikant J. Kawade, Advocate for the Applicants
Mr. A.A. Jagatkar, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 30th JANUARY, 2023

ORDER :

1. The applicants apprehend their arrest in connection with Crime No. 0947 of 2022 registered with Sadar Bazar Police Station, Jalna for offences punishable under sections 407, 420, 467, 468, 471 read with 34 of the Indian Penal Code.

2. Rahul Yashwant Tulse, Senior Branch Manager, Bank of Baroda lodged FIR against 6 persons including present applicants alleging that gold loans were sanctioned to the applicants. The applicants had pledged their gold ornaments with the Bank. On 07/09/2021, when the Bank loans were

scrutinized by his predecessor, it was revealed that accused No.2 Sandip Dusane, the valuer of the Bank had confirmed purity of gold ornaments for securing loan to 5 persons. Applicant No.1 is the mother of Sandip Dusane, and Sandip Dusane is the brother-in-law of applicant No.2. On the basis of his confirmation, total gold loan of Rs. 6,25,000/- was granted to applicant No.1 and total loan of Rs. 4,67,000/- was granted to applicant No.2. On assessment of gold ornaments through another valuer, they were found to be fake.

3. Heard learned advocate for the applicants and learned Additional Public Prosecutor for the State. Perused the papers of the investigation.

4. From the FIR and investigation papers, *prima facie*, it appears that Sandip Dusane is the main culprit. It is not clear from the record as to whether the Bank has initiated recovery proceedings against the applicants. The main accused Sandip Dusane is already arrested. The prosecution case is based on documents, which are already seized by the Investigating Officer.

5. The applicants were granted interim protection and they have co-operated in the investigation. Nothing is to be

recovered from the applicants. The applicants being women are entitled for protection.

6. The application is, therefore, allowed by confirming interim protection.

7. Till filing of the charge sheet, the applicant/ shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane