

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.354 OF 2023

PRANITA W/O. DEEPAK PURANIK
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. B. P. Pande
APP for Respondents : Mr. S. P. Deshmukh
...

CORAM : S. G. MEHARE, J.

DATE : 20-03-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondents.
2. The allegations against the applicant are that she accompanied the main accused and had a joint bank account with him. The witnesses have stated that the applicant used to pressure them for recovery of amount.
3. The learned counsel for the applicant would submit that the statements of the witnesses are hearsay. Except the joint bank account with the main accused, the applicant has no role to play. She did not get share from the alleged amount siphoned fraudulently. It was a case of *Bhishi*. She never run the *Bhishi*. However, to show her *bona fides*, she is ready to deposit

Rs.20,00,000/- (Rs. Twenty Lakhs) with the trial Court in two installments. She would deposit Rs.10,00,000/- (Rs.Ten Lakhs) forthwith i.e. by the end of the day and remaining Rs.10,00,000/- (Rs.Ten Lakhs) within two months. She has no antecedents to her discredit. Hence, she may be granted bail.

4. The learned A.P.P. has strongly opposed the application. He would argue that total fraud was of Rs.2,26,00,376/-. An unauthorized *Bhishi* was run. The applicant has indirect active role in committing the offence. She was closely associated with the main accused. So she must have received a share in the amount siphoned. Considering the gravity of the offence, she may not be granted bail.

5. Perused the papers.

6. The prosecution has sole documentary evidence of joint bank account of the main accused. The veracity of the statements of the witnesses are to be tested during the trial. After having gone through the entire papers, it appears that her role is limited. However, her *bona fides* to deposit the amount, may be considered. The investigation has been completed and nothing is to be recovered from her. Admittedly, there are no antecedents to her discredit. Considering the facts and circumstances, her detention would serve no purpose. She may be granted bail on certain conditions. Hence, the order :-

- i) Application is allowed.
- ii) Applicant Pranita w/o. Deepak Puranik, be released on bail on furnishing P.B. and S.B. of Rs.1,00,000/- with two equal solvent sureties of amount of Rs.50,000/- each, in C.R.No.9 of 2020, registered with Satara (Aurangabad City) Police Station, District Aurangabad, for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code and Sections 4 and 5 of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978, on the following conditions :
 - (a) She should not tamper with the prosecution witnesses.
 - (b) She should not leave the place of her residence without intimation to the concerned Police Station, till the conclusion of trial.
 - (c) She shall deposit Rs.10,00,000/- (Rs. Ten Lakhs) forthwith by the end of the day and remaining amount of Rs.10,00,000/- (Rs. Ten Lakhs) within two months from today, with the concerned learned Magistrate.
 - (d) Her bail bonds be accepted only on deposit of Rs.10,00,000/- (Rs. Ten Lakhs) by the concerned learned Magistrate.
 - (e) If she fails to deposit the remaining balance of Rs.10,00,000/- (Rs. Ten Lakhs) within two months from today, her bail shall stand cancelled automatically.

**(S. G. MEHARE)
JUDGE**