

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1191 OF 2023

VAISHALI W/O NILESH GAVHANE
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. S. S. Pawar h/f
Mr. R. R. Karpe

APP for Respondents: Mr. S. P. Sonpawale

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CORAM : R.M. JOSHI, J

DATE : SEPTEMBER 21, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 729 of 2020 registered with Newasa Police Station, Tq. Newasa, Dist. Ahmednagar for the offences punishable under Sections 420, 409, 120-B, 406 read with Section 34 of the Indian Penal Code and Section 3 of MPID Act.

2. First information report shows that informant is the depositor of Bhairavnath Multi-State Cooperative Society. He alleged that he along with his family members have deposited sum of Rs. 24 lacs for the period of one year. After expiry of period of deposit, amount was not refunded to the informant with interest.

There are allegations against Chairman, Vice-chairman and Manager of the Society.

3. Learned Counsel for the Applicant states that though Applicant is the Director of the said Society, similarly placed accused are already enlarged on anticipatory bail by this Court and hence, on parity Applicant is entitled for pre-arrest bail.

4. Learned APP opposed application by submitting that Applicant is the Director of the Society and that it is the case of fraud. It is further contended that Chairman of the Society granted conditional anticipatory bail and similar condition be imposed to the present Applicant.

5. Perusal of the FIR does not show any role of the present Applicant in the crime in question. There are specific allegations against Chairman, Vice-chairman and Manager of the Society. As far as other directors of the society are concerned, there is no conditional order passed by this Court while granting pre-arrest bail to them.

6. In such circumstances, application is allowed.

Hence, the order:

O R D E R

- (i) In the event of arrest of the Applicant in connection with with C.R. No. 729 of 2020 registered with Newasa Police Station, Tq. Newasa, Dist. Ahmednagar for the offences punishable under Sections 420, 409, 120-B, 406 read with Section 34 of the Indian Penal Code and Section 3 of MPID Act, he shall be released on bail on furnishing PR bond of Rs. 25,000 (Rupees Fifteen Thousand Only) with one solvent surety in the like amount.
- (ii) She shall attend the concerned police station as and when required.
- (iii) She shall not contact the witnesses directly or indirectly.
- (iv) She shall not interfere with the evidence in any manner whatsoever.
- (iv) She is further directed to cooperate the investigating agency for further investigation.

(R.M. JOSHI, J.)

Malani