

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 678 OF 2023

Ankita Anil Golipkar ...Applicant

vs.

State of Maharashtra ...Respondent

Mr.Vinay Bhanushali a/w Mr.Sanmit Vaze and Ms.Kenal Chavan,
T.Dange i/b. Tejas Kunsavlikar – Advocates for Applicant.
Mr.H.J.Dedhia – APP for Respondent-State.

CORAM : S. M. MODAK, J.

DATED : 27TH JUNE 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP Investigating Officer from Economic Offences Wing – Thane is present.

2. On 20th June, 2023, after hearing both the sides, this Court has recorded the submissions and the documents relied upon. Today, learned APP produced a report given by API – EOW dated 27th June, 2023. It mentions that an amount of Rs.3,61,960/- is credited in the Bank accounts of the present Applicant. The Applicant is having two accounts. One is HDFC Bank and another in Kotak Mahindra Bank.

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The said amount is transferred by wanted Accused – Divyesh, so also, from the account of company Fibbul Derivatives Pvt. Ltd. It is marked as Annexure-X.

3. Apart from that, learned Advocate for the Applicant and learned APP also produced copies of the extracts of the Applicant's Bank account in HDFC Bank. They are taken on record and marked as Annexure-Y and Annexure-Z.

4. When the summary of charge-sheet is perused, the Police have demarcated the roles of three Accused persons. The present Applicant is Accused No.2. Accused No.3 – Divyesh is yet to be arrested and Accused No.2 is – Pradip. It seems that the main allegation is against wanted Accused Divyesh and the Accused Pradip acted as a fund manager for Fibbul Derivatives Pvt. Ltd. Whereas, role alleged against present Applicant is that of giving information to the investors about the activities of the company and how the investment will be lucrative. Except that, she has no role to play.

5. Except the amount as stated above, no money is transferred to her account. The amount of misappropriation comes to
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Rs.2,48,48,000/-. The flat belonging to Accused Pradip is attached. So, considering the above circumstances, I do not think that her further detention is required. We do not know when the trial will start. She is under arrest from 28th June, 2022. So, she has made out a case for grant of bail. Considering the limited amount transferred to her account, there is submission not to impose condition to deposit any amount. In view of that, I am inclined to pass following order :-

O R D E R

- (i) Application is allowed.
- (ii) Applicant Ankita Anil Golipkar be released on bail in connection with C.R. No. 702 of 2021 registered with Manpada Police Station - Thane for the offences punishable under Sections 420, 406, 409 read with 34 of IPC and 3, 4, 5 of MPID Act, on furnishing personal bond and surety bond of Rs.25,000/-.
- (iii) Applicant is directed to give attendance to EOW – Thane City on third Monday of every month from 10.00 to 12.00 noon for one year.
- (iv) Applicant to cooperate the Police as and when required.
- (v) In case of breach of any of the conditions, the bail of the Applicant is liable to be cancelled after notice.

6. These are my prima facie observations. Let the learned trial

Court need not be influenced by them.

7. Application is disposed of in the aforesaid terms.
8. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]