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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.948 OF 2024

Manisha Kailas Ambhore

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

.....
Mr. Kamlakar J. Suryawanshi, Advocate for the applicant
Mr. B. B. Bhise, APP for respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 1st AUGUST, 2024

ORDER :

1. By this application filed under section 439 of Code of Criminal Procedure, applicant seeks regular bail in Crime No. 674 of 2023, registered with CIDCO Police Station, Chatrapati Sambhajinagar, for offence punishable under sections 406, 408, 409, 420, 465, 467, 468, 471, 120(B) r/w 34 of the Indian Penal Code, under sections 3 and 4 of M.P.I.D. Act and under sections 21 and 23 of the Banning Of Unregulated Deposit Scheme Act, 2019.

2. FIR is lodged by CA Mahesh Kadam with CIDCO Police Station alleging that he is director of VAMU and Associates. He has conducted Audit of Aurangabad District Yashwini Mahila Swayam Sahayata Bachat Gat Sahakari Patsanstha ("credit

society”) for the year 2022-2023 and submitted report to the office of District Deputy Registrar, Co-operative Societies, Aurangabad on 04.09.2023. During the course of audit of the credit society he found that loans were indiscriminately sanctioned to so many members of the credit society, in violation of the by-laws and rules. The office bearers of the credit society have fabricated documents accordingly and accused Savita Adhane, Manisha Ambhore (applicant) and others have misappropriated an amount of Rs. 28,81,85,036/- and Rs. 19,00,56,282/-, total Rs. 47,82,41,318/- from the credit society. All the accused named in the FIR and all other directors of the credit society are responsible for the misappropriation of amount of Rs. 48 Crore.

3. Heard learned advocate for applicant and learned APP for State. Perused the investigation papers and charge sheet.

4. Applicant was the Vice Chairman of the said credit society at the relevant time. She was arrested on 03.01.2024 and was remanded to police custody till 09.01.2024. Thereafter, she is in Magisterial custody. Charge sheet in the present crime is filed on 30.12.2023 and after arrest and remand of applicant, supplementary charge sheet is filed against her, by the investigating agency.

5. Applicant claims that she and her husband do not possess any property. Only ancestral land of two and half acre is standing in the name of her father-in-law and as her husband has two brothers, they have share in the said ancestral property.

6. Learned APP, on instructions from the Investigating Officer, submits that Sub Registrar, Aurangabad has informed that there are no properties standing in the name of applicant. He, however, submits that there may be properties standing in the names of relatives of the applicant and the Investigating Officer may take appropriate steps in accordance with law.

7. Learned APP opposes application contending that huge amount of poor people is misappropriated by applicant and co-accused. Therefore, applicant may not be released on regular bail.

8. Applicant is arrested on 3rd January, 2024. After her arrest, supplementary charge sheet is filed by the Investigating Agency. It appears that the investigation is now transferred to Economic Offences Wing, which is conducting further investigation. In that view of the matter, there is no likelihood of trial commencing and concluding in the near future. Considering the gender of the applicant and the fact that she is permanent resident of village

Mahal Pimpri, Post Warud Kazi, Taluka and District- Chatrapati Sambhaji Nagar and she is not likely to abscond if released on bail, and that she will be available for trial, her pre-trial custodial detention is not necessary.

10. Hence, the following order:

ORDER

- A. Application is allowed.
- B. Applicant be released on bail in connection with Crime No. 674 of 2023 registered with CIDCO Police Station, Chatrapati Sambhajnagar, on executing Personal Bond and Surety Bond of Rs.1,00,000/- with one or more sureties in the like amount.
- C. Applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.
- D. Applicant shall not tamper prosecution evidence.

**[NITIN B. SURYAWANSHI]
JUDGE**