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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1755 OF 2023

Ashwini Manish Shinde APPLICANT
VERSUS
The State of Maharashtra and Another RESPONDENTS

WITH
ANTICIPATORY BAIL APPLICATION NO.1749 OF 2023

Mayuri Yogesh Karande APPLICANT
VERSUS
The State of Maharashtra and Another RESPONDENTS

.....
Mr. S. S. Thombre, Advocate for the applicant
Ms. U. S. Bhosale, APP for respondent - State
.....

WITH
ANTICIPATORY BAIL APPLICATION NO.1742 OF 2023

Monika Baban Shinde APPLICANT
VERSUS
The State of Maharashtra and Another RESPONDENTS

.....
Mr. Shyam C. Arora, Advocate for the applicant
Ms. U. S. Bhosale, APP for respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 23rd JANUARY, 2024

ORDER :

1. Applicants apprehend arrest in Crime No.493 of 2023 registered with Shivaji Nagar Police Station, Beed for offence punishable under sections 420, 406, 409, 120 (b), read with 34

of the Indian Penal Code and under section 3 and 4 of Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

2. Advocate Ganesh Sheshrao Ghuge filed a private complaint alleging that Baban Vishwanath Shinde and Anita Baban Shinde were Chairman and Director of Jijau masahab Multi State Credit Co-operative Society Limited, Beed. Applicants, along with other accused persons, induced depositors to deposit amounts with the said credit co-operative society, by offering them higher rate of interest and have misappropriated the amount of Rs.64,53,011/-. Trial Court directed investigation under section 156 (3) of the Criminal Procedure Code and hence FIR came to be registered.

3. Applicants claim to be daughter in law and daughters of main accused Baban Shinde and Anita Shinde. They claim that they were not holding any post in the said credit co-operative society and they have not participated in any of the transactions.

4. It is the allegation of prosecution that applicants have induced depositors to deposit amounts with said credit co-operative society, by stating that they would get higher returns on their deposits.

5. Heard learned advocates for applicants and learned APP for the State. Perused the papers of investigation.

6. Investigation in the present crime is complete and charge sheet is filed. Except statements of some of the depositors that applicants induced them to deposit amounts with said credit co-operative society, there is nothing on record to show involvement of applicants in the alleged misappropriation. Even if it is accepted that applicants induced depositors to deposit amounts in said credit co-operative society, that by itself is not sufficient to come to a conclusion that applicants are involved in alleged misappropriation, committed by main accused persons.

7. Applicants being women and since charge sheet is filed, their custodial detention is not necessary in the facts of the present case. Applications are, therefore, allowed by confirming the interim protection granted on 20th October, 2023. Applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE