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

BAIL APPLICATION NO.401 OF 2025

Kunal S/o Shahinath Parbhane
Age: 20 years, Occu.: Student
R/o. Kotwali Galli, Beed,
Tq. and Dist. Beed.

... Applicant

Versus

State of Maharashtra

... Respondent

.....
Mr. S.G. Ladda, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent - State
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 01 APRIL 2025

PRONOUNCED ON : 03 APRIL 2025

PER COURT :-

1. Instant application is for grant of regular bail on account of arrest of the applicant in Crime No.341 of 2024, registered with Shivajinagar Police Station, District Beed for offences punishable under Sections 316(2), 316(5), 318(4), 336(2), 338, 340(2), 61(2) of the Bharatiya Nyaya Sanhita (BNS) and under Section 3, 4 of the M.P.I.D. Act.

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2. Learned counsel for the applicant submitted that applicant is barely 20 years of age, who was taking education. That, he has been named and being merely because of his parents and brother have purchased shares in his name, except such allegations there is nothing to show that he is the beneficiary of alleged offence. That, he never contacted with any of the investor or depositor and not made any assurance. That, applicant is not named in the FIR, which is lodged on 20.07.2024. That, for the first time, his name cropped up in the supplementary statement of the informant on 27.08.2024, that too on some hearsay information. According to learned counsel, no specific role is attributed. That, in the entire charge-sheet, nothing incriminating has found against the present applicant. According to learned counsel, considering the nature of the allegations, and even the material allegedly gathered by investigating machinery, provisions of M.P.I.D. Act do not get gravitated against him. For all above reasons, learned counsel urges for grant of bail.

3. Learned APP opposed the bail application on the ground that, applicant is involved similar crimes in Beed, Kaij and Shivajinagar Police Station. That, some investors were duped by present applicant along with his family members, and therefore,

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he is shown to be the beneficiary of seventy four lakhs and some odd amount. Therefore, considering the huge economic fraud, learned APP opposed bail application.

4. Heard. Perused the FIR dated 20.07.2024, at the instance of Yogesh Gavhane. He has reported police that Shahinath Parbhane, his wife Sadhana Parbhane, Chief Executive Officer Vinayak Parbhane and Manager Bankar regularly visited his house and induced him to create fixed deposits by assuring huge returns, and therefore, he invested Rs.30,26,671/-. But subsequently, his money was not returned, and rather, the credit society was shutdown. On above allegations, crime has been registered.

5. Apparently, as pointed out that applicant's name does not figure in the above FIR. In the supplementary statement dated 27.08.2024 i.e. almost after three weeks, name of present applicant reflected. Applicant has placed on record documents of his educational qualification to demonstrate that he is undergoing education, and he has also placed on record the statement of his bank account in which according to him, there are entries of money forwarded by his father for his education at Pune. Going by the FIR, apparently, applicant is not named by informant for visiting his house repeatedly like other accused

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persons, who allegedly induced lured and assured handsome returns.

6. Therefore, considering the annexures of education and the fact that his name appearing for the first time after three weeks of FIR, and now, investigation is said to be over, and charge-sheet being filed in December 2024, and no further purpose is shown to be achieved by further continuing detention of applicant and as no further recovery is shown to be made at his instance, application deserves to be allowed. Hence, the following order :

ORDER

(i) Application is allowed.

(ii) The Applicant be released on bail in connection with Crime No.341 of 2024, registered with Shivajinagar Police Station, District Beed on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the concerned police station without prior permission of the Court, till conclusion of trial.

**ABHAY S. WAGHWASE,
JUDGE**