



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

917 BAIL APPLICATION NO. 1714 OF 2025

REHANA ASLAM KHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Tope Sambhaji Subhashrao
APP for Respondents: Mr. P.P. Dawalkar
...

AND

918 BAIL APPLICATION NO. 1754 OF 2025

BASIT KHAN AAUB KHAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Tope Sambhaji Subhashrao
APP for Respondents: Mr. S.B. Narwade
...

**CORAM : SANJAY A. DESHMUKH, J.
DATED : 09th OCTOBER, 2025.**

PER COURT :-

1. These applications are filed for granting regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with the Crime No.146/2025, registered with Satara Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Section 316(2), 316(5), 318 (4), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and under Sections

3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 (MPID Act).

2. Learned advocate for the applicant pointed out the report lodged by one of the investor. Learned advocate for the applicant in (B.A. No.1714/2024) submits that applicant - Rehana's son was running M.F. Growmore Investment Pvt. Ltd. at Amrit Vijay Laxmi Apartment, Railway Station, Jalannagar, Chhatrapati Sambhaji Nagar. It is further pointed out from the report to the Court in which informant averred that many time she invested amount i.e. amount of Rs.50,000/-, Rs.1,50,000/-, Rs.1,00,000/- etc. So many other investors also deposited amount with the company of son of the applicant - Rehana. Initially some amount in the form of return were given to the informant and investors. Their confidence was created and later on when they demanded their amount, they were threatened by the main accused Akram Khan and his father Aslam Khan and others.

3. Learned advocate for the applicant submitted that applicant Rehana is mother of the Akram Khan. She believed her son and placed her thumb impression the documents as per his direction. She is illiterate lady. She had not misappropriated the amount. She had not even convinced to any of the investors to deposit the amount with the company. She is not active director of the company. Her son is running that company. She being lady and

having roots in the society shall be released on bail.

4. Learned advocate for the applicant in B.A. No.1754/2025 for Basit Khan submits that Basit is the cousin of Akram Khan. He is only employee of the said investment company. He worked with the active partner and director Akram Khan and, therefore, he went with him to the investors to convince them to deposit the amount with the company for share-market. So many investors invested the amount at the instance of Akram Khan and the applicant Basit is only employee. He submits that applicant is partly implicated in the crime. No any active role is pointed out. He has roots in the society. He will not flee away from the trial. It is lastly prayed to grant the bail.

5. Learned APP for the State strongly opposes the application and submitted that, applicants are involved in the serious crime they have duped total amount of Rs.1,51,29,000/-. Though accounts of the applicants and other co-accused are frozen they have not kept amount on their account to recover it. The applicants are involved in the serious crime. If they released on bail they will certainly pressurize the prosecution witnesses and tamper the evidence. He is relying upon the authority of ***Tarun Kumar Vs. Assistant Director Directorate of Enforcement; 2024 AIR (SC) 169.***

6. Learned APP lastly submitted that the investigation is not fully completed as some of the accused are absconding.

Considering the serious nature of the crime he submitted to reject the applications.

7. Perused the charge-sheet, particularly the report, statement of witnesses and bank account statements of both the applicants and other co-accused. From the report and the statement of the witnesses it is crystal clear that applicant - Rehana has not convinced any of the investors to invest the amount. She had only marked her thumb impression on some documents. She is an illiterate lady having no criminal antecedents for the overt act of her son and husband. She cannot be kept behind the bars. Considering her role and fact that her bank accounts are frozen, it would be proper to release her on bail on the principle that bail is the rule and jail is the exception.

8. As far as applicant Basit is concerned, though he is cousin of Akram Khan his employee and not director. Being a employee of Akram Khan he was bound to go with him and he had convinced some of the investors though his bank account shows that some amount was transferred on his account, he is not director. Considering his role particularly his age, that he is 24 years old having no criminal antecedents and is not director, he is also entitled for bail on the principle that bail is the rule and jail is the exception. Both the applications, therefore, deserves to be allowed on the following conditions. Hence, the following order.

ORDER

- I. Applications are allowed.
- II. The applicant Rehana in B.A. No.1714/2025 and applicant - Basit in B.A. No. 1754/2025 in connection with Crime No.146 registered with Satara Police Station, Chhatrapati Sambhajinagar, be released on bail on furnishing personal bond of Rs.50,000/- each with one surety of the like amount each on following conditions:-
 - a) The applicants shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) The applicants to co-operate to the investigating officers if co-accused are arrested and interrogation is necessary. But, for that purpose, the investigating officer has to communicate to the applicants in writing that their presence is required for interrogation.
 - c) The applicants shall not go abroad unless permitted by the trial court.

(SANJAY A. DESHMUKH, J.)