IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 441/2025

SANGITA PRAVIN PATIL ..APPLICANT
VS
STATE OF MAHARASHTRA ..RESPONDENT

Mr. Ranjeet H. Patil for applicant.
Mr. Avinash A. Naik, APP for State.
PSI D. A. Mane, Miraj Rural Police Station.

CORAM : RAJESH S. PATIL, J.

DATE : FEBRUARY 18 , 2025.

P.C. :

1. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in connection with the First Information Report (FIR) No. 547/2024 registered at Miraj Rural, Sangli for the offence punishable under Sections 318(4) and 316(4) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the prosecution case that the informant was running "Commando Career Academy Charitable Trust". In the said Academy, pre-recruitment training has been imparted to 80 trainees from different Districts. The applicant was employed in the said Academy for admission of the students since 1/10/2023. She was supposed to receive admission fees from the students. On 21/9/2024, at about 10.00 a.m., the informant verified the receipt books of the admission fees, he found that certain receipts were missing from the receipt books. However, counter of such payment receipts were found with the students. On further enquiry, it revealed that the applicant had dishonestly misappropriated the amount of Rs.4,51,900/- being the fees collected from the students. It is further alleged in the FIR that the applicant had admitted her liability to pay. Since she did not repay the said amount of Rs.4,51,900/-, the FIR has been lodged.

3. The applicant submitted that she was just working with the Institution as helper and in fact she never accepted monies from the students. It was only because of the understanding of the complainant that the applicant accepted the said monies and periodically the said amount was withdrawn from the bank account of her's and amount was repaid to the informant by way of cash entry. It is further submitted that the present applicant was harassed by the informant, hence, she had lodged a complaint bearing C.R.No.570 of 2024 against the informant and in retaliation, the present FIR has been lodged. There is nothing to be recovered from the applicant and these are mere entries in the bank account and the accounts of the Institution for which the custody of the present applicant is not at all required.

4. The learned APP appearing for the State submits that the applicant though a lady has siphoned off an amount of Rs.4,51,900/-. After going through the statement of accounts which has been tendered with the police, can be seen that there are entries being entered in her account periodically as credited, however, there is no cash withdrawal from the said bank account except a very few nominal amounts. Therefore, since there is no co-operation from the applicant, her custody would be necessary to find out the trail of money.

5. I have heard the learned counsel for the applicant and the learned APP for the State. I have also gone through the FIR and more particularly the bank account statements of the applicant.

6. On going through the bank account statements of the relevant period from 1/10/2023, it has been seen that there is no cash withdrawal, except few nominal entries. The major entries of withdrawal I have seen of 6/10/2023 i.e. immediately after she started receiving monies. The said debit entry is for a sum of Rs.88,000/- and the money appears to be transferred to Bhilare

Vaishal. There is no satisfying reply from the learned counsel for the applicant as to who is this person called as Bhilare Vaishal and why such a big amount of Rs.88,000/- has been shown as a debit entry.

7. Taking into consideration the non-cooperative attitude of the present applicant, being not able to show before this Court how a sum of Rs.4,51,900/- was withdrawn from the bank account. I find no merit in the anticipatory bail application and **the same is rejected**.

(RAJESH S. PATIL, J.)