

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4726 OF 2024

Bhagyashree Prasad Shinde.

... Applicant.

Vs.

The State of Maharashtra.

... Respondent.

Mr. Aniket Nikam a/w. Mr. Dushyant Digambar i/b. Amit Icham,
Advocate for the Applicant.

Mr. T.G. Khan, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 25 JUNE, 2025.

P.C. :

1. Heard Mr. Aniket Nikam, learned Advocate for the Applicant and Mr. Khan, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short “BNSS”), the Applicant is seeking regular bail in Crime No. 84 of 2023 registered with Bund Garden Police Station, Pune for offence punishable under Section 420, 406, 409, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code (for short “IPC”) and under Section 3 of Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, (for short, “MPID”).

3. Applicant was arrested on 25th May, 2024 and since then

she is in jail.

4. Mr. Nikam, learned Advocate for the Applicant states that the said Crime No. 84 of 2023 is registered as Special Case No. 963 of 2023 pending before the Additional Sessions Judge, Special MPID Court, Pune

5. There are nine accused in the said crime who have been charge-sheeted. Accused Nos. 1, 2 and 3 have been released on bail by this Court by order dated 30th July, 2024. Said orders are at pages 6270 to 6279 of the paper book.

6. Mr. Nikam, learned Advocate for the Applicant submits that the Applicant who is Accused No. 9 in the present crime is seeking bail on the ground of parity. He submits that the Applicant is the wife of Accused No. 1. He submits that allegations against Accused No. 9 are that her account was used by her husband (Accused No. 1) in the said crime. He submits that apart from the said involvement of the Applicant, there are no other allegations against the Applicant. He submits that Applicant is similarly situated like the other accused who are released on bail.

7. Mr. Khan, learned APP for the State submits that the Applicant herein was initially cited as a witness in the said crime. He submits that during the investigation the involvement of the Applicant was noted in the context of her bank account being

utilized by Accused No. 1, as such Applicant was arraigned as Accused No. 9. He submits that role of the Applicant in the present crime is restricted to use of her account by her husband.

8. I have perused the record and the orders passed by this Court granting bail to Accused Nos. 1, 2 and 3.

9. Allegations against the Applicant in the above said crime are in the context of her bank account being used by Accused no. 1 in the said crime for depositing and withdrawing the amount. Accused No. 1 is shown as the main accused in the crime. He has been enlarged on bail by order dated 30th July, 2024 passed in Criminal Bail Application No. 1083 of 2024. Involvement of the Applicant in the present crime when compared to the role of Accused No. 1 as per investigation is much lesser. Applicant who is the wife of Accused No. 1 would therefore, be entitled to bail on the principle of parity.

10. Investigation in the present crime is complete and charge-sheet is filed as against the Applicant. No purpose would be served by the continuing with the incarceration of the Applicant pending the trial.

11. In view of the above, present Bail Application is allowed on the following conditions :

- (a) It is directed that the Applicant shall be released on bail in Crime No.84 of 2023, registered with Bandgarden Police Station, Pune City for the offences punishable under Sections 420, 406, 409, 465, 467, 468, 471 read with 34 of the IPC and section 3 of MPID Act, on furnishing P.R.Bond of Rs. 25,000/- (Rupees Twenty-Five Thousand) with one solvent surety in the like amount;
- (b) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- (c) Applicant shall attend the trial before the Trial Court regularly on every date fixed in Special Case No. 963 of 2023 unless exemption is granted by the Trial Court.
- (d) Applicant upon release within 3 days shall furnish his residential addresses with proof and contact details to the Trial Court and Investigating Officer, Bundgarden Police Station, Pune.
- (e) Liberty is granted to the State for cancellation of bail in case of there is breach any condition or if the applicant commits any serious offence.

12. Bail Application No. 4726 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)