



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2266 OF 2025

Premlata Badrinarayan Baheti .. Applicant

Versus

The State of Maharashtra .. Respondent

**WITH
BAIL APPLICATION NO. 2268 OF 2025**

Premlata Badrinarayan Baheti .. Applicant

Versus

The State of Maharashtra .. Respondent

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Advocate for applicant : Mr. Pratik Tare (Through V.C.) h/f.
Mr. Sagar P. Mahale, in both BAs
APP for the respondent – State : Mrs. P.V. Diggikar (2266/2025)
APP for the respondent – State : Mr. C.V. Bhadane (2268/2025)
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CORAM : SHAILESH P. BRAHME, J.

DATE : 17 APRIL 2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in C.R. No. 148 of 2024 registered with Udgir City Police Station, District – Latur for the offences punishable under section 406, 409, 420, 120_B r/w. 34 of the Indian Penal Code and under section 3 of the M.P.I.D. Act and in CR

No. 180 of 2024 registered with Jawaharnagar Police Station, District – Chhatrapati Sambhajinagar for the offences punishable under section 406, 409, 420, 120-B, r/w. 34 of the IPC and under section 3 and 4 of the M.P.I.D. Act.

3. In Bail Application No. 2266 of 2025, FIR was lodged on 03.06.2024 and she was arrested on 13.08.2025. In Bail Application No. 2268 of 2025, FIR was lodged on 26.06.2024 and she was arrested on 13.08.2025. In both matters, investigation is over and chargesheet is filed.

4. In CR No. 148 of 2024, 20 accused are involved including the applicant. In CR No. 180 of 2024, 12 accused are involved including the applicant. Applicant's husband is also involved in both the offences. The accused are Office bearers of Rajasthani Multistate Co-operative Society Ltd. It was having 34 branches. The allegations of report lodged against applicant and co-accused are almost similar.

5. Applicant is stated to be the Director of Rajasthani Multistate Co-op. Credit Society Ltd. having branches at various places. The depositors are stated to have been lured and misrepresented by the Office bearers for attractive returns. Their deposits were accepted and no returns are given to them. The unfortunate depositors approached various Police Station against the

Office bearers. During the course of investigation, it revealed that Office bearers caused financial loss to various persons. The total defalcation runs in Crores. The audit report would further corroborate the incriminating role against each of the Officer bearers.

6. Learned counsel appearing for the applicant submits that she is old lady of 60 years and entitled to protection under section 480 of BNSS. She is entitled to be released on the ground of parity. The compilation of the orders granting interim protection is placed on record. It is contended that no amount is credited to the account of the applicant. She is not been benefited by any of the monetary transactions.

7. Per contra, learned APP submits that in CR No. 180 of 2024, the defalcation is more than Rs.6.5 Crores. In CR No. 148 of 2024, the defalcation is more than Rs. 13 Crores. The co-accused Balchandra Lodha was granted protection because he had resigned from the directorship. It revealed that applicant was disbursed loan of Rs.4,12,23,874/- and Rs. 11,52,26,643/- without following any procedure of law or adequate security. The malpractices and illegalities are noticed during the course of audit. There are as many as 17 offences registered against the applicant.

8. The audit report which is part of the chargesheet shows that loan of Rs.4,12,23,874/- was disbursed to the applicant bearing account no. 0062. It was having following objections :-

Sr, No.	A/c No.	Type of Loan	Borrower Name	Loan Sanctioned Amount	Remarks
1	0062	Term Loan	Mrs. Premlata Badrinarayan Baheti	4,12,23,874	1) Borrower is one of the Director on the board of society. 2) No action taken against the borrower for non-payment since last 5 years 3) Registered value of the property (said land) is Rs.2,28,00,000 as on the date of disbursement of loan i.e. 100% loan disbursed for the value of security offered. 4) Though there is NO NPA norms listed for Multi state societies but as per accounting principles there is no provision made for Bad debts in the earlier years and current year also. 5) Search report is also not on the record.

9. Term Loan of 53.43 Lakh was issued to her husband Badrinarayan, co-accused and about Rs.1,29 Crore to her son also. The total outstanding against her reported in the audit report is to the tune of Rs.11,52,00,000/-.

10. It reveals from the papers of investigation that huge funds are siphoned by the Office bears of the concerned co-operative society in collusion and in blatant violation of the statutory procedure. Applicant was being disbursed loan despite she was director of the society which itself is illegal.

11. It is brought to the notice of this Court that following are the offences pending against the applicant :-

Sr. No.	CR No.	Police Station	Punishable under section	Status
1	227 / 2024	Ambajogai Rural	34, 406, 409, 415, 420, 467 IPC and section 3, 4 of MPID Act	Bail granted
2	74 / 2024	Parali Town	120-B, 406, 409, 420 of IPC and section 3, 4 of MPID Act	Custody not sought by the IO
3	225 / 2024	Shirsala	34, 120-B, 406, 409, 420 of IPC and section 3, 4 of MPID Act	Custody not sought by the IO
4	274 / 2024	Ambajogai Town	34, 406, 409, 415, 420, 467 of IPC and section 3, 4 and 5 of MPID Act	Custody not sought by the IO
5	280 / 2024	Beed Town	34, 406, 409, 420 of IPC and section 3, 4 of MPID Act	Custody not sought by the IO
6	180 / 2024	Jawaharnagar P.S. at Chhatrapati Sambhajinagar	34, 120-B, 406, 409, 420 of IPC and section 3, 4 of MPID Act	Bail Rejected
7	498 / 2024	Omerga	61(2), 318(4), 316(5), 316(2) of BNS and section 3, 4 of MPID Act	Bail Granted
8	234 / 2024	Gandhi Chowki PS, Latur	34, 406, 409, 420 of IPC and section 3 of MPID Act	Custody not sought by the IO
9	148 / 2024	Udgir Town	34, 120-B, 406, 409, 420 of IPC and section 3 of MPID Act	Bail Rejected
10	288 / 2024	Vazirabad PS, Nanded	34, 406, 409, 420 of IPC and section 3 of MPID Act	Bail Granted
11	451 / 2025	Gangakhed	34, 120-B, 406, 409, 420 of IPC and section 3, 4 of MPID Act	Bail Granted
12	328 / 2025	Nanalpeth PS, Parbhani	120-B, 406, 409, 420 of IPC and section 3, 4 of MPID Act	Bail Granted
13	26 / 2025	Pandharpur Town	3(5), 316(5), 316(2), 318(4) of BNS and section 3, 4 of MPID Act	Custody not sought by the IO
14	320 / 2024	Bitergaon PS, Yavatmal	34, 406, 409, 420 of IPC and section 3 of MPID Act	Bail Application Pending
15	682 / 2024	Omerkhed PS, Yavatmal	406, 409, 420 of IPC and section 3 of MPID Act	Custody not sought by the IO

12. The co-accused Balchand Lodha is shown to have been granted protection but the role attributed to him is different. He had taken a plea that he had resigned from the society. Another co-accused Abhishek Biyani is also granted bail. His name is not spelt out in the FIR. He is not

elected Director from from 2022 to 2023 or 2023 to 2028. He is shown to have resigned. The facts are distinguishable. Hence, the applicant is not entitled to receive benefit of parity.

13. The observations of the Supreme Court in ***Rakesh Mittal V. Ajay Pai Gupta alias Sonu Chaudhary and another; 2026 SCC OnLine SC 211***, are relevant, which are as follows :-

“19. Though the observations made in some of the above cases were in the context of heinous offences, which is not the case presently, we may note that the value of life and liberty of members of society is not limited only to their 'person' but would also extend to the quality of their life, including their economic well-being. In offences of a pecuniary nature, where innocent people are cheated of their hard-earned monies by conmen, who make it their life's pursuit to exploit and feast upon the gullibility of others, the aforestated factors must necessarily be weighed while dealing with the alleged offenders' pleas for grant of bail.”

14. Considering the reasons and the gravity of the offence, I am not inclined to grant relief though applicant is a lady.

15. I find no merit in the Applications. Hence, the Applications are rejected.

[SHAILESH P. BRAHME]
JUDGE

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