

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 212/2020

Smt. Anagha w/o Nikhil Bhusari

-VERSUS-

State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S. P. Dharmadhikari, Sr. Advocate with Shri A. M.
Sudame, Advocate for the Applicant.
Shri Palshikar, A.P.P. for the Respondent.

CORAM : VINAY JOSHI, J.

DATE : APRIL 23, 2020.

Heard.

2. Learned Additional Public Prosecutor
seeks time to file reply.

3. Shri S. P. Dharmadhikari, Senior
Advocate urged to grant interim bail since the
applicant – lady is behind the bar from
04.11.2019. He further submitted that already
investigation is complete and charge sheet is filed
and therefore, there is no purpose in detaining her.

4. The applicant was working as Bank

2

Manager and came to be arrested in Crime No.405/2019 registered at Lakadganj Police Station, Nagpur relating to offence punishable under Sections 406, 409, 417, 419, 420, 465, 466, 467, 468, 469, 471, 472, 474, 120(B) read with Section 34 of the Indian Penal Code. It is alleged that the applicant while working as Bank Manager, has illegally sanctioned 69 loan proposals without verifying documents and the amount duped was in few crores. Admittedly, charge-sheet is filed as investigation is complete.

5. It is submitted that applicant lady is having a small daughter aged four years at her house. Learned Senior Advocate has submitted that the trial Court while rejecting bail, has assigned one of the reason that the applicant owns a bungalow but, the source was not disclosed. Prima facie, he clarified said thing and took me through some of documents to show that applicant raised loan from L.I.C. Moreover, it is submitted that applicant's husband is Regional Manager in Pharma Company and therefore, she has sufficient

3

source to raise loan.

6. Undisputedly, applicant after arrest, was in police custody and faced custodial investigation. Charge-sheet is already filed. Considering that the applicant is female, charge-sheet is filed and other circumstances, including current pandemic situation, I deem it appropriate to grant interim bail, hence following order.

(I) The applicant be released on interim bail on her furnishing P. R. Bond of Rs. 50,000/- with one surety in the like amount.

(II) Applicant shall deposit her pass-port with the Investigating Officer which will be the subject of final out-come of bail.

(III) Applicant shall not leave the city limit of Nagpur till disposal of the bail application.

(IV) The applicant shall not enter into the concerned Bank for any purpose unless permitted by this Court.

(V) The applicant shall attend concerned Police Station as and when required.

4

(VI) Applicant shall not pressurize or contact with the Bank employees or the borrowers in any manner.

7. Put up this matter on 05.05.2020.

Later on :

8. Shri Sudame, learned Counsel has filed a Pursis informing that due to current pandemic situation of lock down, the Tahsil office is not functioning, and therefore, the applicant would be unable to obtain solvent surety of Rs.50,000/- to meet the requirement of bail, as ordered.

9. He has submitted that four weeks time be granted to furnish said solvent surety, and till then the applicant be released on P.R. Bond of Rs.50,000/-.

10. There is no dispute that the government offices including the Tahsil office is not functioning in regular course due to the current pandemic situation, therefore, the difficulty appears to be a genuine. In view of this, four weeks time is granted to the applicant to furnish solvent surety

5

of Rs.50,000/- as ordered. However, till then, the applicant is released on P.R. Bond of Rs.50,000/- with one surety in the sum of Rs.15,000/-.

11. It is also informed that the applicant does not possess any Passport. The said submission is taken on record.

JUDGE

Rgd.