

ORDER BELOW EXH.1 IN CRI.B.A.NO.840/2023
(CNR NO.MHSNO10028222023)
(Anil Ananda Adsul Vs. State of Maharashtra)

1. This is an application for regular bail. The State resisted it by filing say at Exh.6. Read the application and say. Heard Ld.Advocate for the applicant and Ld.APP. Perused the record.

2. Atpadi Police Station registered crime No.225/2023 for offence punishable under section 420, 406 r.w. 34 of IPC and under section 3 of MPID Act. The name of the applicant is appearing in the FIR. Ld.Advocate for the applicant submitted that the applicant has no concern with the firms namely; Niharika Financial Services, Tanishq Marketing and Mauli Marketing. He also submitted that the applicant is not owner, partner, proprietor, Director, Manager or employee of any of the aforesaid Firm. He further submitted that the applicant is also not beneficiary of the investment/handing over money by the informant or witness. He further submitted that the informant and other witnesses have not deposited any amount in bank account of the applicant. He submitted that there is no role of the applicant mentioned in the first information report.

3. Ld.Advocate for the applicant also submitted that the applicant is in custody since 05.07.2023, he was initially remanded in police custody but now he is in magistrate custody, therefore, there is no need of the applicant for the investigation.

He further submitted that the applicant has no criminal antecedent. He is permanent resident of Sangli District. He is ready to abide any condition imposed by this Court. He further submitted that therefore, the applicant may be released on bail by imposing any condition.

4. Ld.APP submitted that the role of the applicant is specifically mentioned in the FIR. He also submitted that according to the contents of the FIR, the applicant was present in the office of the above firms and he gave information to the first informant and other witnesses and thereby induced them to invest money in the aforesaid firms. He further submitted that the bank statements of the accused and the victims are already collected by investigating officer. He further submitted that the bank statements clearly shows that the money was transferred in the said accounts and then the money was transferred to the private accounts of the accused, their relatives and friends. He further submitted that huge amount is siphoned by the accused. He also submitted that the investigation is still going on, the number of witnesses may rise and if the applicant is released on bail, there is possibility of tampering of witnesses and evidence.

5. I considered the rival submissions carefully. So far as money transactions are concerned, they are clearly appearing in the bank statements. It may be noted that the accused induced the investors by assuring double returns within 10 months. The allegations in the FIR clearly disclose the alleged offences. The

investigation papers clearly supports the allegations. It may be noted that there may be number of investors cheated by the accused. Therefore, the number of victims may be increased in this case. If the applicant is released on bail, there is possibility of tampering of the witnesses. There is also possibility of tampering of evidence. The magnitude of the crime shows that the accused cheated the common man. It is offence against society. It is serious offence. There is specific role of the applicant and it is also mentioned in the FIR itself. Considering these facts, I am of the opinion that the applicant is not entitled to bail. His application deserves to be rejected. Accordingly, I pass following order :-

ORDER

1. Cri.B.A. No.840/2023 is rejected.
2. Copy of this order shall be furnished to the applicant free of cost.
3. Cri.Bail Application is disposed of accordingly.

Sangli
dt.11.08.2023

(Purushottam B. Jadhav)
Additional Sessions Judge, Sangli

CERTIFICATE

I affirm that, the contents of this P.D.F. file, are same word to word, as per the original order.

Name of Stenographer	: S.V.Agnihotri (Steno Grade-I)
Court	: DJ-3 & Addl. Sessions Judge, Sangli.
Date of order	: 11/08/2023
Signed by Presiding officer on	: 11/08/2023
Uploaded on	: 14/08/2023

Addl.SJ