

**ORDER BELOW EXH.49 BAIL APPLICATION OF ACCUSED NO.2  
YASHODA JAYRAM SHETTY, JAWAHAR NAGAR POLICE  
STATION, AURANGABAD.**

Read application and say. This is the bail application filed by accused No.2 releasing her on bail.

2. The Learned Advocate for accused submitted that, this accused was working on a contract basis in a Divisional Sports Complex but she was assign work of taking amount as required fee and issue receipt and photo ID to the sports person. She was account clerk. In fact she was not provided the computer. Everything was done by accused No.1. There was no evidence that this accused help accused no.1. The accused No.3 is the husband of accused No.2. He is doing catering business and having good relation with accused No.1 since long. So, only on financial transactions in between accused No.1 and accused No.3. This accused was arrested. She did not received any amount. Further, everything was seized. The property purchased in Karnataka purchased for only Rs.1,25,000/-. So, if this accused received huge benefits then this accused would have been purchased more. So, no case against this accused No.2. False case made out against this accused. In fact this accused is 12<sup>th</sup> standard pass, so no knowledge of computer. This accused is having four children below 10 years. Nobody is there to look after them. So, being she is a lady, she may be released on bail. She will abide all the conditions. She will not leave the city. Hence, application may kindly be allowed.

3. Ld. APP strongly objected and submitted that, in short case is that, accused No.1 was working as a Computer Operator on contract basis and he along with accused No.2 and accused No.3 with the help of accused No.8 and accused No.9 being a banker changed the mobile number along with the email and by some forged documents misappropriated transferred the amount. Some accused purchased the properties, gold, vehicles and other things. This was done by accused No.1. In fact accused No.1 with the help of other accused including accused No.10 and accused No.11 prepared a false account statement. But all these came to the knowledge when officer Swapnil Subnis told bank manager to send the statement of accounts of Divisional Sports Complex/Centre on official email-ID. Then this Swapnil Subnis got knowledge that, some doubtful transaction was their from 01 July 2024 to 07 July 2024 and entries made by accused No.1. Then was inquiry and FIR was lodged.

4. Ld. APP further submitted that, this accused is wife of accused No.3. She helped to disposed off amount. Further she helped with her husband to invest this amount. She received the amount. Accordingly, necessary bank statements were recovered. Properties were seized. This accused also purchased gold. The gold items were seized. So, as per prima facie evidence this accused help accused no.1 while working with him and she is also beneficiary. So she is not entitle for bail. Further, she is from Karnataka, she may fly away. If released on bail, she may tamper the evidence to help her husband. Hence, she is not entitle for bail. Accordingly, application may kindly be rejected.

5. The case of the prosecution is that, the accused No.1 was working on contract basis in Divisional Sport Complex/Centre. As per the Government policy to develop the infrastructure for the sports this complex was raised and one committee form under the Head of Guardian Minister and Divisional Commissioner. Government also transferred the fund in the account of the said Divisional Sports Complex maintained in Indian Bank. However, Deputy Director sent one letter for bank statement through accused No.1 wherein accused No.1 changed email-ID by hand as well as inserted his mobile number and accordingly accused No.1 transferred amount of Divisional Sports Complex. However, for the said accused No.2, accused No.3 help this accused. Accused No.8 and accused No.9 are the bank employee. They did not properly verified and transferred the amount. Accused No.4 is the friend of accused No.1 who was beneficiary and help accused No.1 to invest dishonest amount. Accused No.5 and accused No.6 also being father and mother of accused No.1 are the beneficiary and help accused to invest the dishonest amount which misappropriated by accused No.1. Accused No.7 is the maternal uncle and accused No.7 he also received the amount from accused No.1 to invest the dishonest amount. Accused No.10 is the Government employee and mostly he was given duty to maintain cash book, to send emails, to make correspondence, to obtain bank statement and otherwise. But, accused No.10 help accused No.1 to change the email-ID and mobile number. The accused No.11 was also shown to be the beneficiary for receipt of Rs.80,00,000/- from accused No.1.

6. Accused No.1 to 3 with the help of accused No.8 to 10 changed the email-ID of Divisional Sports Complex given to bank as well as they changed the mobile number given to the bank of concern person who was responsible who operate the account. This responsible person was Swapnil Subnis Deputy Director. This accused No.1 to 3 and 8 to 10 used internet facility and internet banking by changing email-ID and mobile number misappropriated the amount of Rs.21.59 Cr. and other accused are the beneficiary as well as help to invest dishonest amount. By this misappropriated amount accused purchased properties in Aurangabad, Navi Mumbai and in Malegaon. Accused purchased the gold, household items, vehicles. This came to the knowledge when bank statement received to this Deputy Director Swapnil Subnis for audit and found some doubtful transaction made by accused No.1. Then, the FIR was lodged and accordingly investigation was carried out. Thereafter, the accused were arrested and muddemal was seized, properties were seized, vehicles were recovered. Charge sheet was filed against accused No.1 to 11. Thereafter, the charge was framed and accused pleaded not guilty. The muddemal was called. So the matter is pending now for evidence and the bail petitions were filed by the accused.

7. This accused No.2 was a wife of accused No.3. As per the prosecution she received of Rs.2,60,000/- directly. Her husband also received 2 Crore. Accused No.3 purchased property and car and this accused also purchased gold and one property in Karnataka. This accused was working with accused No.1 in Divisional sports complex and as per prima facie evidence, she

helped accused No.1 and also help to invest dishonest amount with the help of accused No.3. So, if she released on bail, then she may tamper the prosecution evidence to help accused No.3 being her husband. She is a beneficiary of dishonest amount. So, at this juncture considering her role, she be from Karnataka, she may fly away. In such situation, the trial will be hamper. Now, case is pending for evidence. In such situation, if evidence tamper then trial will be hamper. Hence, this accused did not make out grant bail. So, considering the role of this accused she is being beneficiary and help to invest the misappropriated amount and prima facie evidence against her, she is not entitled for bail. Thus, considering the seriousness of offence and prima facie evidence, no case made out to release the accused on bail. Hence, I proceed to pass the following order -

**ORDER**

Application for bail by accused No.2 is rejected.

Date:- 29/04/2025.

**(R. S. Jambotkar)**  
Chief Judicial Magistrate,  
Aurangabad.