

Bail Order Below Exh. 8 In RCC No. 383/2025.
(State Vs. Laxman Bandgar)

1) This is the application by the accused **Laxman Bandgar** under Section 480 of B.N.S.S., 2023.

2) It is the contention of the prosecution that, the alleged incident took place on 03.01.2024 to 14.07.2024 at Gurukrupa Mahila Gruh Udyog, Behind D Mart, Ramkrishna Paramhans Society, Sangli. It is alleged that the accused no. 1 and 2 establish Gurukrupa Mahila Gruh Udyog Sanstha and they lured the women in Sangli City Police Station to pack 10 k.g. chatani and offered them Rs.1200/- as a wages. He initially paid Rs.1200/- after packaging of 10 k.g. chatani. After that he persuaded the other women member to join their Gruhudyog and asked them to give Rs.10,000/- towards deposit. Some of the women agreed and deposited 10 to 15 thousand with the accused and on the bond paper. The said agreement was executed. Accordingly, he wrongfully gained trust of the women and they persuaded women from Sangli City, Kolhapur, Palus, Tasgaon, Shirala etc. and made 1800 to 2000 women as a member of their Gruhudyog and collected 10,000 to 15,000 deposits from them. Thereafter, he started to avoid those women and absconded alongwith the money. Therefore, FIR came to be lodged against him with the Vishrambag Police Station vide Crime No. 458/2024, for the offence punishable under Sec. 316(2), 318(4) and 3(5) of B.N.S., 2023.

3) It is contention of the accused that, the accused did not commit any offence. It is their contention that, there is delay in lodging FIR, which is not sufficiently explained by the informant. It creates the doubt on the story of the prosecution. The informant created imaginary and false story. The accused is ready to co-operate the police machinery. There is no iota of evidence to connect the present applicants with crime. If the accused is released on bail, he will not be absconded or tamper the prosecution evidence. Practically investigation is already completed and therefore, he be released on bail. The Ld. Advocate for the accused relied upon the judgment of Hon'ble High Court passed in Maya Tiwari Vs. State of U.P. It is held that, from the perusal of legal position it is clear that while considering the bail application apart from seriousness of charges and severity of punishment, paramount consideration should be given to witnesses or intimidation to the victim or witnesses on the part of the accused. The bail application of unconvicted person should not be rejected for the purpose of giving him a test of imprisonment as a lesson or as a mark of disapproval of his conduct. The Hon'ble High Court Chattisgarh in Ramesh Kumar Tiwari Vs. State of Chattisgarh AIR 2022 CHH 1367 held that, bail is rule and jail is exception.

4) Learned A.P.P. for the state opposed the application on the grounds that, the accused has committed non bailable offence. Investigation is in progress. The accused no. 1 committed this offence with the help of his wife i.e. the accused no.2. The accused no. 2 has not appeared before the Court yet. The amount cheated with is not

recovered. Therefore, the prosecution prayed that this application be rejected.

5) Perused the application and say filed. Heard both sides. Perused the entire record.

6) It appears from the record that, the accused no. 1 and his wife the accused no. 2 being the president of Gurukrupa Mahila Gruhudyog committed this offence. The accused no. 1 alleged to have absconded without informing the members who have given deposits. It appears from the record that, the agreements executed between the accused and those women are filed on record. The amount cheated with is not yet recovered. Upon the perusal of the statement of victims and the agreements on record, it appears that, those agreements were executed for one year and yet the accused chooses to abscond without informing those victims. The bank statements of the accused and the victim women is also on record. The women on whom both the accused cheated are very large in number. Admittedly the wife of the accused no. 1 who is also the accused no. 2 is not appearing before the Court. In result of above discussion and with due respect to the ratio laid down in above cases, I am of the opinion that, this is an exceptional case of cheating women near about 1800 to 2000 and therefore, ratio laid down in above judgments cannot be made applicable to the facts before me. Considering the given facts and circumstances, I am of the opinion that, if this accused is released on bail then he may not appear again in the Court for trial like the accused no. 2. In result, releasing this

accused on bail may seriously hamper the prosecution case at this stage. Under such circumstances, I am not inclined to allow the application at this stage and therefore, the application is liable to be rejected. Hence, I pass following order-

ORDER.

The application is rejected.

Sangli.

Date- 08.07.2025.

(Rohini S. Patil)

**Judicial Magistrate First Class,
(Court no.1), Sangli.**