

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1108 OF 2015

Smt. Rohini Rajan Chavan	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Vilas B. Tapkir, Advocate for the applicant.
Ms. Veera Shinde, APP for the State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JUNE 24, 2015**

P.C.:

This Application is moved for bail, as the applicant/accused is facing charges under sections 7, 13(1)(D) r/w. 13(2) of Prevention of Corruption Act, 1988 in C.R. No. 3011/2014 registered with Kudal Police Station, District Sindhudurg.

2. It is the case of the prosecution that the applicant/accused is a Sarpanch and a shed of crematorium was approved by the Gram Panchayat, Vetat-Bambarde village. This work started in December, 2014 and completed in January, 2015. The complainant is a contractor, who was to receive an amount of Rs.1,24,000/- for his work. When the file was put up before the applicant/accused on 21st February, 2015, the applicant/accused demanded 5% commission on bill amount to sign the the said order. He gave Rs.500/- at that time and promised that the

remaining amount would be given subsequently after receiving the entire amount. Thereafter again there was a demand from the applicant/accused. The complainant went to Anti Corruption Department and lodged a complaint. Pursuant to the information, the Department laid trap and the applicant/accused was caught red-handed when the complainant was handing over bribe of Rs.3,000/- to her on 9th June, 2015. The applicant was given police custody. On arrest she was taken in custody and from 11th June, 2015 the applicant is granted judicial custody. Hence, this Bail Application.

3. The learned counsel for the applicant/accused submitted that her Bail Application was rejected by the learned Sessions Judge, Sindhudurg on the ground that the applicant may likely to pressurize the prosecution witnesses.

4. Learned APP opposed the Application.

5. This is a trap case under the Prevention of Corruption Act and it appears that major part of the investigation is over. Hence, I am inclined to grant bail to the applicant/accused on the following terms and conditions:

ORDER

- (i) The Application is allowed.
 - (ii) The applicant/accused shall be enlarged on bail upon furnishing P.R. Bond in a like amount of Rs.20,000/- with one or two sureties in the like amount.
 - (iii) The applicant shall not tamper with the evidence.
 - (iv) The applicant shall not pressurize the witnesses in any manner.
 - (v) The applicant shall attend the concerned police station on every Saturday between 10 am to 11 am till the filing of charge sheet.
 - (vi) The applicant shall make herself available and attend all the Court dates.
 - (vii) The applicant/accused shall not abscond and shall furnish her address to the police along with address proof.
 - (viii) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.
 - (ix) The applicant shall not leave India without the prior permission of the Court.
7. The Application stands disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)