

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.653 OF 2015

Vijay Mohan Tambe ..Applicant
-Versus-
State of Maharashtra ..Respondent

Mr.Lokesh Zade i/b. Khandeparkar & Associates for applicant
Mr.D.P.Adsule, APP for State.

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 7th April 2015.

P.C.

1] Leave to amend to correct the name of applicant from Tamble to Tambe.

2] The applicant has moved this application for bail. The applicant accused is facing charges under sections 7, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988 in C.R.No.3005 of 23015 registered with Kudal police station. It is the case of the prosecution that the applicant accused is in the police department working as Naik at Kudal police station. He demanded bribe of Rs.5000 from the complainant to allow the excavation of sand without any objection. He demanded the illegal gratification to be paid on monthly basis. The complainant offered the applicant

Rs.3000/- and the applicant accused was ready to accept the illegal gratification of an amount of Rs.3000/- from the complainant. The complainant gave information to the Anti Corruption Bureau and a trap was laid. The applicant/accused was caught while accepting bribe by the ACB team.

3] Post trap panchanama was done and the applicant was taken into custody on the same date. Hence, this application for bail.

4] The learned Counsel for the applicant accused submitted that nearly a major part of investigation is complete and the applicant has to be bailed out. The applicant is police constable and he will not abscond or run away. The learned Prosecutor has opposed the bail application.

5] The applicant/accused is arrested in the trap case under the Prevention of Corruption Act. He is in custody since 19th March 2015. In view of the facts of the case, the applicant accused is granted bail on the following terms and conditions:-

- I) The applicant/ accused be enlarged on bail on furnishing P.R. Bond in a sum of Rs.30,000/- with one or two sureties in the like amount.
- II) The applicant shall not tamper with the evidence.
- III) The applicant shall not indulge into any criminal activity.
- IV) The applicant/accused shall not pressurise the complainant and other persons.
- V) The applicant/ accused shall make himself available and attend all the court dates.
- VI) The applicant/ accused shall not abscond and shall furnish his permanent address to the police along with the address proof.
- VII) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.
- VIII) The applicant/accused shall not leave India without the prior permission of the court.
- IX) The applicant shall attend concerned police station as and when called by the I.O. till filing of the charge sheet.
- X) Application is disposed of.

(Mridula Bhatkar, J)