

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 669/2015

Amol S/o Vithalrao Gangalwad ..vs.. State of Maharashtra through PSO P. S.
Gadchiroli, Dist. Gadchiroli

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. V. Sirpurkar, Advocate for applicant.
Mr. Bhoyar, A.P.P. for non applicant-State

CORAM : V. M. DESHPANDE, J.
DATE : SEPTEMBER 16, 2015.

This is an application under Section 439 of Cr. P. C. for grant of regular bail. The applicant is arrested in connection with Crime No.3054/2015 registered with Police Station, Gadchiroli for an offence punishable under Section 7 of the Prevention of Corruption Act read with Section 201 of the IPC.

According to the prosecution, Anti Corruption Bureau, Gachiroli received a complaint from one Govinda Mallelwar that the present applicant, who is Police Sub Inspector has demanded bribe from him. Even as per the prosecution case the trap which was laid on the applicant was unsuccessful and according to the prosecution, the present applicant has destroyed the voice recorder. The applicant is in jail since 29.08.2015.

Looking to the nature of accusations made against the applicant and looking to the fact that the maximum conviction that can be awarded for an offence punishable under Section 7 of the Prevention of Corruption Act, the applicant cannot be retained in jail further. Further, it is not the apprehension of the prosecution that he will not be available to the course of justice. Hence, the following order is passed.

ORDER

- (i) The applicant-Amol Vitthalrao Gangalwad, be released on bail in connection with Crime No.3054/2015 registered with Police Station Gadchiroli, Dist. Gadchiroli for an offence punishable under Section 7 of the Prevention of Corruption Act read with Section 201 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.50,000/- with one surety in the like amount.
- (ii) Bail before trial Court.
- (iii) The applicant shall not tamper with the prosecution evidence.

JUDGE