

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 4927 OF 2016
IN
CRIMINAL APPEAL NO. 500 OF 2016

Sudhakar S/o Shripatrao Kale .. Applicant

Versus

The State of Maharashtra .. Respondent

.....
Mr V. A. Bagdiya, Advocate i/b Mr C. P. Sengaonkar, Advocate for the applicant
Ms Priti Diggikar, APP for respondent/State
.....

CORAM : V.L. ACHLIYA, J.
DATED : 02.09.2016.

PER COURT :

. Heard. Perused the application and impugned Judgment and Order passed by the trial Court.

2. The trial Court has found the applicant guilty of committing offence under Section 7 of the Prevention of Corruption Act and sentenced to suffer rigorous imprisonment for three years and to pay fine of Rs. 4,000/- and further under Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act and convicted to undergo rigorous imprisonment for three years and to pay fine of Rs. 4,000/-. Being aggrieved by the said judgment, the applicant has filed the present application.

3. It is contended that, during the trial the applicant was on bail. After conviction, the trial Court has suspended the sentence in order to enable the applicant to prefer an appeal. It is further submitted that, the applicant has deposited the fine amount.

4. Having regard to the submissions advanced, sentence awarded and it will not be possible to list the appeal for hearing within a short period, I am inclined to pass the following order.

ORDER

- (1) The Criminal Application No. 4927 of 2016 is allowed.
- (2) Pending disposal of the appeal, substantive sentence awarded by the trial Court stands suspended.
- (3) Pending disposal of the appeal, applicant be released on bail on his furnishing bail in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount on the following conditions:
 - (i) Applicant shall visit and record his attendance with the office of Anti Corruption Bureau, Aurangabad, in the first week of every month in between 11:00 a.m. and 12:00 a.m., till disposal of the appeal.

- (ii) Applicant shall furnish the names, addresses and phone numbers with residential proof of his three close relatives.
- (4) In case of breach of any of the conditions as above, bail granted to the applicant shall be liable to be cancelled.
- (5) The applicant shall furnish fresh bail bonds in the trial Court.

[V. L. ACHLIYA]
JUDGE