

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

CRIMINAL APPLICATION NO. 5321 OF 2016
IN
CRIMINAL APPEAL NO. 540 OF 2016

Ahilya W/o Ramesh Masram,
Age : 35 years, Occu. At present Nil,
R/o. Officer's Colony, Nagar Road, Beed,
Taluka & Dist. Beed.

.. Applicant

Versus

The State of Maharashtra,
through the Police Inspector,
Anti Corruption Bureau, Beed.

.. Respondent

.....
Mr R. S. Deshmukh, Advocate for the applicant
Mr R. B. Bagul, APP for respondent/State
.....

CORAM : V.L. ACHLIYA, J.
DATED : 22.09.2016.

PER COURT :

1. Heard. Perused the application.
2. The applicant has preferred the appeal challenging the impugned judgment an order convicting the applicant/appellant u/s 7 and 13(2) of the Prevention of Corruption Act. For committing offence u/s 7 of Prevention of

Corruption Act, the applicant has been sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs. 5000/-. For committing offence u/s 13(2) of the Prevention of Corruption Act, the applicant has been sentenced to suffer rigorous imprisonment for two years and to pay fine of Rs. 5,000/-.

3. It is contention of the learned counsel for the applicant that, during the trial, the applicant was on bail. The applicant has deposited the fine amount. The trial Court has suspended the sentence to enable him to prefer the appeal.

4. Having regard to the submissions advanced, the sentence awarded and further taking into consideration that during the trial the applicant was on bail and it will not be possible to list the appeal for final hearing within the short time, the case is made out to entertain the application. Hence, the following order.

ORDER

- (1) The Criminal Application is allowed in terms of prayer clause 'B'.

- (2) Pending disposal of the appeal, substantive sentence awarded by the trial Court stands suspended on deposit of payment of fine.
- (3) Pending disposal of the appeal, the applicants be released on his furnishing bail in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two sureties in the like amount on following conditions:
 - (i) Applicants shall visit and record their attendance with the office of Anti Corruption Bureau, Beed once in a month 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.
 - (iii) In the event of change in address, the Applicant shall inform the concerned Police Station as well as information to that effect be given to the Court.
- (4) In case of breach of any of the conditions as above, bail granted to the applicants shall be liable to be cancelled.

[V. L. ACHLIYA]
JUDGE