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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1571 OF 2016

Alim Manaji Bhagwan

..Applicant.

V/s.

State of Maharashtra

..Respondent.

CRIMINAL BAIL APPLICATION NO.1572 OF 2016

Maruti Bapurao Mane

..Applicant.

V/s.

State of Maharashtra

..Respondent.

Mr.Sachin S. Thombare for the applicant in both applications.

Mr.Deepak Thakre, APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 8TH AUGUST, 2016

P.C. :-

1. Applicants / accused in Crime No.483/2016 for the offences punishable under section, 7, 12, 13(1)(d) read with section 13(2) of the Prevention of Corruption Act, 1988 registered with Pandharpur Police Station, District Solapur by these applications are praying for releasing them on bail.

3. Heard the learned counsel for applicants. He argued that considering the nature of crime and considering the fact that magisterial custody remand was sought by the investigator, pre-trial detention of present applicants is not warranted.

4. The learned APP opposed the application by contending that the crime in question is serious and public servant had demanded and accepted illegal gratification through a person named Alim Bhagwan (Fruit Vendor).

5. Perused the record made available. According to the prosecution case, applicant Maruti Mane was working as Police Sub-inspector of the Pandharpur Police Station. He had demanded illegal gratification of Rs.5,000/- from complainant Dattatraya Hiparkar in order to favour him as well as his relatives while filing charge-sheet. This illegal gratification is said to have been accepted through applicant Alim Bhagwan.

6. Considering the nature of offence as magisterial custody remand of both applicants was sought by the investigator, their pre-trial detention is not warranted.

Therefore, the order :-

- (i) Both applications are allowed ;
- (ii) Applicants / accused in Crime No.483/2016 for the offences punishable under section 7, 12, 13(1)(d) read with section 13(2) of the Prevention of Corruption Act, 1988 registered with Pandharpur Police Station, District Solapur be released on bail on their executing P.R. bond in the sum of Rs.20,000/- each with one or two solvent surety in the like amount by each of them;
- (iii) Applicant / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against them so as to dissuade him / her from disclosing such facts either to the Court or to any police officer and that they shall not tamper with the evidence;
- (iv) Applicants / accused shall co-operate for expeditious disposal of the trial;

- (v) Applicants / accused shall not commit an offence similar to the offence of which he is accused or suspected of commission;
- (vi) Both applications are disposed of accordingly.

(A.M.BADAR, J.)