

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

CRIMINAL APPLICATION (APPA) NO.181 OF 2016
IN
CRIMINAL APPEAL NO.91 OF 2016

Yadav Pandharinath Patil

-vs-

State of Maharashtra, Thr. Police Inspector, Anti Corruption Bureau, Nagpur.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri R. R. Vyas, Advocate for applicant.
Ms Kalyani Deshpande, APP for State.

CORAM : A.S.CHANDURKAR, J.

DATE : May 20, 2016

Prayer is to suspend the sentence of imprisonment imposed on the applicant pursuant to his conviction in Spl. A.C.B. Case No.2 of 2010. The applicant has been sentenced to suffer rigorous imprisonment for a period of two years for the offence punishable under Section 7 and Section 13(1)(d) of the Prevention of Corruption Act, 1988.

On behalf of the applicant it is submitted that there are various infirmities in the evidence led by the prosecution and the applicant has a good case on merits. It is submitted that the initial demand has not been duly proved.

The application is opposed by the learned Additional Public Prosecutor on the ground that the conviction has been recorded after considering the entire evidence.

Perused the notes of evidence placed on record. Considering the evidence with regard to the initial demand, a prima facie case for grant of bail has been made out. Moreover, considering the sentence of imprisonment which is

for a period of two years and the fact that the appeal cannot be heard immediately, the following order is passed :

The applicant Yadav Pandharinath Patil be released on bail on the same terms on which he was so released by the Sessions Court.

The application is allowed in aforesaid terms and disposed of.

JUDGE