

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPA) NO. 643 OF 2016

AND/IN

CRIMINAL APPEAL NO. 376 OF 2016

(Kumar Sanjay Shashi Mohan Vs. Central Bureau of Investigation)

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

Court's or Judge's orders

Mr. A. V. Gupta, Senior Advocate for the appellant.
Mr. Shyam Ahirkar, Retainer Counsel for the respondent.

CORAM : S. B. SHUKRE, J.

DATED : SEPTEMBER 29, 2016

CRI. APPEAL NO.376/2016:

Notice.

Shri Ahirkar, learned Counsel waives service of
notice for the respondent.

Heard.

Admit. Call for record and proceedings.

APPA NO. 643/2016 :

Heard.

Notice.

Shri Ahirkar, learned Counsel waives service of
notice for the respondent.

It is seen from the prosecution evidence,
particularly the evidence of complainant Ritesh Surana
(P.W.1) that there is a doubt if any demand of bribe was

made at the time of the trap. There is no corroboration also to the evidence of P.W.-1 as admittedly shadow witness was not present during the trap. There also appears to be a doubt about the evidence of demand as well as what happened post trap. In these circumstances, I am of the view that the appellant has made out an arguable case and, therefore, this application deserves to be allowed.

The application is allowed and it is directed that the substantive sentences of imprisonments shall stand suspended till final disposal of the appeal and till that time the appellant shall be released on bail on his furnishing a P. R. Bond in the sum of Rs.15,000/- together with one solvent surety in the like amount subject to the condition that the appellant shall pay fine amounts, if not paid.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

Uploaded by : W. W. Lichade

Uploaded on : 30/9/2016