

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

CRIMINAL APPLICATION (BA) NO.1035 OF 2016

(Krishnarao Babarao Wankhade ..vs.. State of Maharashtra, through PSO, Loni, District Amravati and another)

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

Court's or Judge's orders

Shri P.V. Navlani, Advocate for applicant,
Shri N.B. Jawade, Addl.P.P. for non-applicant.

CORAM : P.N. DESHMUKH, J.

DATED : 13-12-2016

One of the accused involved in Crime No.340/2016 registered by Loni Police Station, District Amravati for the offences punishable under Sections 7, 12, 13(1)(d) read with 13(2)(b) of the Prevention of Corruption Act, has applied for bail.

Learned Counsel for applicant has contended that applicant is arrayed as accused No.3 in above crime and accused Nos.1 and 2 who on the date of incident were working as Police Hawaldar and Police Naik respectively attached to Loni Police Station are already released on bail by this Court. It is contended that only role attributed to applicant is that he has received bribe money of Rs.13,000/- from the complainant on behalf of accused Nos.1 and 2.

It is the case of prosecution that in an investigation carried out by original accused Nos.1 and 2 in Crime No.338/2016 registered under Section 307 of

Indian Penal Code, report was lodged against said accused with ACB that these applicants were threatening complainant of his arrest and for not effecting said arrest has demanded bribe which was negotiated to Rs.13,000/- and was agreed to be paid to applicant. From the case of prosecution, it is further revealed that co-accused Mangesh on the day of incident had informed complainant to pay amount of Rs.15,000/- to applicant while complainant paid Rs.13,000/- when he came to be apprehended. Considering facts as aforesaid and in particular as co-accused Nos.1 and 2 are granted bail by this Court, there appears no reason to reject the application.

In that view of the matter, following order is passed :

Order

- (i) Applicant shall be released on bail on his executing P.R. Bond in the sum of Rs.20,000/- with one surety in the like amount.
- (ii) Applicant shall mark his presence with Loni Police Station, District Amravati quarterly on the first day of each such month pending trial.
- (ii) Applicant shall provide proof of his residence and shall update the same in the event of change in near future.

JUDGE