

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

**CRIMINAL APPLICATION NO.33 OF 2017
IN
CRIMINAL APPEAL NO.11 OF 2017**

Dashratbhai Tulsibhai Patel & Anr. ... **Applicants**
V/s.
Union of India & Anr. ... **Respondents**

**CRIMINAL APPLICATION NO.34 OF 2017
IN
CRIMINAL APPEAL NO.12 OF 2017**

Ramesh Kakad Ga5vit ... **Applicant**
V/s.
Union of India & Anr. ... **Respondents**

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Mr.M.G.Shukla i/b. Ms.Mrunmai Kulkarni, Advocate for the Applicants.
Mr.S.R.Shinde, Advocate for the Respondent No.1/CBI.
Ms.V.S.Mhaispurkar, APP for the Respondent/State.

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CORAM : A. M. BADAR JJ.

DATED : 17th JANUARY 2017.

P.C.

1 These are applications for releasing applicants on bail during pendency of appeals filed by them. Applicants are convicted of offences punishable under Section 7 and Section 13(1) (d) read with Section 13(2) of the Prevention of Corruption Act, as well as Section 120B of the Indian Penal Code. On each count they are sentenced to suffer rigorous imprisonment for three years apart from payment of fine. It is directed that all sentences shall run concurrently.

2 Heard learned counsel for applicants as well as the learned Advocate appearing for respondent No.1 CBI as well as the learned Additional Public Prosecutor for the respondent/State.

3 The learned counsel appearing for CBI argued that applicants/accused are police officers and they are held guilty on three counts. They were supposed to be a responsible officers.

4 Being public servant there is no likelihood of absconding applicants in order to held up hearing of appeals. Similarly, it is seen that short sentence imposed on applicants/accused and they were on bail during pendency of trial. Their appeals may not be heard in near future. Hence, I find no reason to reject the applications of applicants.

5 Therefore, the applications of applicants are allowed by suspending the substantive sentences imposed on the applicants. They are directed to be released on bail on executing PR bond of Rs.15,000/- each and on furnishing surety in the like amount each during pendency of the appeals.

(A. M. BADAR J.)