

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2322 OF 2017

Arundas N. Bahiragi vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr.R.V. Watulkar i/by C.P. Sengaonkar for the Applicant.

Mr. N.B.Patil, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 13th October, 2017

P.C.

1. This is an application under Section 439 of Cr.P.C. for bail in CR No.II-23 of 2017 registered with Camp Police Station, Malegaon, Nashik under Sections 7, 13(1)(D) read with Section 13(2), of the Prevention of Corruption Act, 1988.

2. It is the prosecution case that the applicant was working as City Survey Officer (Class II) Malegaon and demanded a sum of Rs.10,000/- as illegal gratification from the complainant Shri. Abdula Hilal Ahmed for effecting certain entries in the revenue record and for issuing a certificate in that behalf. It is the further prosecution case that the first informant paid Rs.2000/- to the applicant at the first instance and as he was not ready to pay the balance amount to the applicant, the complainant lodged complaint with the ACB Unit Malegaon. The applicant came to be accosted while accepting an amount of Rs.6000/- towards the illegal gratification on 13.9.2017 at about 12.55p.m.

The first information report is lodged by Smt. Mrudula M. Naik, Police Inspector attached to the ACB Nashik. The applicant came to be arrested on the same day on 13.9.2017 and since then he is in custody.

4. Perused the papers of investigation. Learned APP on instructions from the Investigating Officer submitted that the investigation pertaining to the present crime is practically completed and the other formalities including obtaining sanction from the Competent Authorities are yet to be completed. As the investigation in the present crime is practically completed, according to me, no fruitful purpose will be served by further detaining the applicant in Jail.

5. In view thereof, the applicant can be released on bail.

Hence, the following order.

- a) The applicant be released on bail in CR No.II-23/2017 registered with Camp Police Station, Malegaon, Nashik on his furnishing PR bond of Rs.50,000/- with one or two solvent local sureties in the like amount.
- b) After his release from Jail the applicant shall attend the concerned police station on first and third Monday of the month between 11.00 a.m. to 2.00p.m. till filing of the charge sheet.
- c) After filing charge sheet the applicant shall attend the said office on every 1st Monday of the month between 11.00 a.m. to 2.00p.m.
- d) The applicant shall also attend all the dates before the Trial Court.
- e) Any two consecutive defaults in complying with the aforesaid

conditions, shall attract the provisions of cancellation of bail.

f) The applicant shall not tamper with the evidence and /or influence the prosecution witnesses.

g) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)