

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1590 OF 2016
IN
CRIMINAL APPEAL NO.837 OF 2016**

Sharad Kisan Aher)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr. Vikas B. Shivarkar, Advocate for the Applicant.

Mrs. M.R.Tidke, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 5th JANUARY 2017.

P.C. :

This Application is filed by the Applicant-convicted accused. By the impugned judgment and order dated 8.12.2016, the applicant-convicted accused is convicted of the offence punishable under Sections 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988. For the offence punishable under Section 7 of the said Act, he is sentenced to suffer RI for one year and to pay fine of Rs.1,000/- in default to under further SI for two months. For the offence punishable under Section 13(1)

(d) read with Section 13(2) of the said Act, the applicant-convicted accused is sentenced to suffer RI for two years and to pay fine of Rs.1,000/- in default to undergo SI for two months.

2 Applicant-convicted accused was on bail throughout the trial. He is public servant and as such is not likely to abscond. Short sentence is imposed on him and there is no likelihood of disposal of the appeal in near future. Hence, I see no reason to deny bail to the applicant-convicted accused. The application is allowed. The substantive sentence of imprisonment imposed on the applicant-convicted accused is suspended. The applicant-convicted accused be released on executing PR Bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.

3 Application is, accordingly, disposed of.

(A. M. BADAR, J.)