

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

CRIMINAL APPLICATION (ABA) NO.671 OF 2017

Sudhakar Mahadeorao Pande, R/o Deokibai Nagar, Balapur Road, Akola.

-vs-

State of Maharashtra, Thr. PSO Anti Corruption Bureau Akola Tq. & Dist. Akola

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

Court's or Judge's Orders.

Shri J. B. Gandhi, Advocate for applicant.
Shri J. Y. Ghurde, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.
DATE : October 03, 2017

The applicant apprehends his arrest in connection with Crime No.194/2017 for the offence punishable under Sections 7, 12, 13(1)(d) read with 13 (2) of the Prevention of Corruption Act, 1988 registered at Police Station City Kotwali, Akola.

Shri J. B. Gandhi, learned counsel for the applicant submitted that on the day of the trap, the applicant was not present as he had gone on leave. The person accepting the alleged amount of bribe has been arrested and the incriminating material has been seized from him. It is further submitted that his voice sample has been duly taken during the course of investigation. It is therefore submitted that the applicant is entitled for protection from arrest.

Shri J. Y. Ghurde, learned Addl. Public Prosecutor

for the State has opposed the aforesaid application by relying upon the reply filed on record.

As per the First Information Report, on the day of the trap, the applicant was not present as he had gone on leave. The person accepting the alleged amount of bribe has been arrested and the incriminating material has been seized from him. Considering the aforesaid facts and as the voice sample of the applicant herein has been recorded, I do not find that his custodial interrogation is warranted. As per the interim protection granted by this Court, the applicant has co-operated with the investigation.

I am therefore inclined to confirm the interim order passed by this Court. Hence the following order is passed :

(i) In the event of arrest of the applicant Sudhakar Mahadeorao Pande in Crime No.194/2017 registered with Police Station City Kotwali (ACB) Akola for the offence punishable under Section 7, 12, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988, he be released on bail on executing PR Bond of Rs.25,000/- (Rupees Twenty Five thousand) with two solvent sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station on 09/10/2017 and thereafter as per the directions of the Investigating Officer. He shall co-

operate with the investigation and shall not take any steps to tamper with the investigation.

Observations made in this order are only for deciding the present application which is allowed and disposed of.

JUDGE