

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 966 OF 2018

Rajkumar Janardhan Kambale Applicant
Vs.
The State of Maharashtra Respondent

Mr. M.S. Mohte i/by Mr. Sarang S. Aradhye for the Applicant.
Mr. Vinod Chate, APP for the State.
Mr. Arun R. Deokar, I.O.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 13th June, 2018

P.C.:

1 Heard the learned counsel for the applicant and the learned APP.

2 This is an application under Section 439 Code of Criminal Procedure. The applicant herein is arrested on 27th March 2018 in Crime no.177 of 2018 registered at Vijapur Naka Police Station, Solapur for the offences punishable under Sections 7, 12, 13 of Prevention of Corruption Act and Section 201 of the Indian Penal Code.

3 It is the case of the prosecution that the applicant herein was working as “Superintending Engineer” with the Irrigation Department of Ekrukha Usha Sinchan Scheme. On the report of one Balasaheb Ingawale alleging therein that the present applicant had demanded an illegal gratification of about Rs.2,50,000/- and after negotiation, it was decided that he would pay Rs.2,00,000/-, the Anti Corruption Bureau, Solapur had lodged a report and had initiated the investigation by fixing the date of trap. That on 27th March 2018, the applicant had accepted an amount of Rs.80,000/- from Balasaheb Ingawale. On giving instructions, the A.C.P. had trapped the present applicant. Upon realising that he has been apprehended by the Police, he tried to throw the amount on the ground. However, the A.C.B. had completed the trap, initially investigated the offence and the Deputy Superintendent of Police had lodged a report at the police station. On the basis of which, Crime no. 177 of 2018 is registered against the applicant at Vijapur Naka police station, Solapur. In the cases under the Prevention of Corruption Act, part of the investigation is completed even prior to

lodging of F.I.R. The applicant had been in custody for more than 48 hours and hence he has been suspended from service.

4 Taking into consideration the fact that obtaining sanction for prosecution would take a long time, without which the charge-sheet cannot be filed, the applicant deserves to be enlarged on bail.

5 The observations are prima facie in nature and shall not be considered for discharge application or at the time of trial. Hence, the order :

ORDER

1 The application is allowed.

2 The applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs.50,000/- with one or more solvent sureties in the like amount.

3 The applicant shall report to the police station as and when called, if necessary.

(Smt. Sadhana S. Jadhav, J)