

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

CRIMINAL APPLICATION (APPA) 482 OF 2017
IN
CRIMINAL APPEAL _____/2018

The State of Maharashtra, Thr. P.S.O., P.S. Ramdaspath, Akola
V/s
Bhimdeo Maniram Rathod and another

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri N.B. Jawade, Addl. P.P. for State.
Shri S.D. Chande, Advocate for the respondents.

CORAM: ROHIT B. DEO, J.
DATE: 19th MARCH, 2018.

The State is seeking leave under Section 378 (4) of Criminal Procedure Code against judgment and order of acquittal dated 10-04-2017 in Special Case (ACB) 01/2003 by and under which, the respondents are acquitted of offence punishable under Sections 7, 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988.

2. One of the grounds for acquittal is that the sanction is vitiated by non-application of mind.

3. This Court would like to have a second look, at the evidence on record, since arguable issues are raised.

4. Criminal Application is allowed.

Criminal Appeal_____/2018

Heard.

2. **Admit**

3. Shri S.D. Chande, learned Counsel waives service on behalf of respondents.

JUDGE

RKN