

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

CRIMINAL APPLICATION (BA) NO.51 OF 2019

(Shailesh s/o Suresh Mhaske Vs. State of Maharashtra thr. PSO PS City Kotwali,
Akola)

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

Court's or Judge's orders.

Shri Anil Mardikar, Senior Counsel with Shri S.G. Joshi, Advocate for
Applicant.
Shri H.D. Dubey, APP for Non-Applicant/State.

CORAM: M.G. GIRATKAR, J.

DATE: 5th FEBRUARY, 2019.

Heard Shri Anil Mardikar, Senior Counsel for the
applicant.

Offence punishable under section 392, 201, 342,
504 and 506 read with Section 34 of IPC and section 7, 7(A)
of Prevention of Corruption Act are registered against the
applicant. Applicant is a public servant at the time of trap by
ACB. Applicant suspected the complainant, he beaten the
said complainant. Therefore, application came to be rejected
by Special Court, Special Judge, Akola on the ground that
he may pressurize the prosecution witnesses etc. and there
is a possibility of absconding.

Shri Dubey, learned APP has strongly objected
the application.

It appears from the order of Special Judge,
application was rejected on the ground that he may
pressurize the witnesses and there is possibility of

absconding. Applicant is a public servant working at Police Station City Kotwali, Akola. Therefore, there is no possibility of absconding. Investigation appears to be completed. Hence, the following order.

- [i] The application is allowed.
- [ii] The applicant be released on bail on furnishing P.R. bond in the sum of Rs.50,000/- with one local surety of the same amount.
- [iii] He shall not pressurize/tamper the evidence of prosecution witnesses.
- [iv] The applicant shall attend the Office of ACB once in a week i.e. Friday in between 10:00 a.m. to 05:00 p.m. till the filing of the charge-sheet.
- [v] Breach of any condition amounts to cancellation of bail.

JUDGE