

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

**Criminal Appeal No.592 of 2019**

*Murlidhar Alluji Karade*  
vs.  
*The State of Maharashtra*

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

*Court's or Judge's Orders*

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*Shri R.M. Mardikar, Advocate for the Appellant.  
Mrs. Swati Kolhe, A.P.P. for the Respondent sole.*

**CORAM : S.M. MODAK, J.**  
**DATE : 28<sup>th</sup> AUGUST, 2019.**

Heard the learned Counsel for the appellant and the learned Additional Public Prosecutor for the respondent-State.

The Special Judge, Bhandara has convicted this appellant-accused No.2 for the offence punishable under Section 8 of the Prevention of Corruption Act, 1988. He was sentenced to suffer rigorous imprisonment for three years and fine of Rs.10,000/-. He has already deposited the fine amount with the lower Court. The role attributed to the appellant is of accepting the bribe amount of Rs.15,000/- for and on behalf of accused No.1.

The appeal of accused No.1 bearing Criminal Appeal No.564/2019 has already been admitted by this Court. Hence, the appeal is **admitted**.

Call for record and proceedings.

**Criminal Application [APPA] No.777/2019 :**

Heard both the sides.

After the conviction, the sentence of the appellant was suspended by the trial Court on 30/07/2019 for one month on depositing the fine amount. The copy of the fine receipt is also annexed to the application.

The appellant claims to be an aged person of about 71 years old and the formal resident of Tahsil Sakoli, District Bhandara. During the trial, he was on bail and there is no grievance about misusing of the liberty.

Accused No.1 is also released on bail by suspending his sentence as per the order passed by this Court in Criminal Application [APPA] No.739/2019, on 19/08/2019. That accused was directed to furnish a bail bond to the tune of Rs.1,00,000/- with one solvent surety of the like amount. On behalf of the appellant, it is submitted that considering all the factors, he may not be directed to furnish surety of such huge amount. I agree with the said submission. Hence, the following order is passed :

**ORDER**

The sentence ordered by the Special Judge, Bhandara in Special Criminal (ACB) Case No.11/2015 on 30/07/2019, is suspended during the pendency of this appeal subject to the following conditions:

- i. The appellant be released on bail on furnishing a P.R. Bond of Rs.20,000/- with one surety in the like sum.
- ii. The appellant to remain present in this appeal at the time of final hearing.
- iii. The appellant to attend the Office of Anti Corruption Bureau on the first Monday of September and March of every year till final disposal of the appeal.
- iv. The application stands allowed and disposed of accordingly.

**JUDGE**

*\*sandesh*