

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

Criminal Application (BA) No. 1134 of 2021

(Milind S/o Ramrao Paradkar and anr. ..vs.. State of Maharashtra through Deputy Superintendent of
Police, A.C.B., Chandrapur)

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

Court's or Judge's orders

Mr. M. B. Naidu, Advocate for the applicants
Mrs. K. R. Deshpande, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 23-11-2021

Heard.

2. The applicants are arraigned as accused in Crime 33/2021 registered with Lathi Sub Police Station, Tahsil Gondpipri, District Chandrapur for offence punishable under Section 7 of the Prevention of Corruption Act.

3. While the final report is not submitted as yet, it is fairly stated that the investigation is complete and the prosecution is awaiting sanction.

4. I do not see any propriety in continuing incarceration since the investigation is complete. Even otherwise, according to the prosecution, the trap was successful. The panchas are Government employees. While it is true that the applicants are policemen, no

inference can be drawn that the witnesses will be influenced, only due to the applicants being policemen. There is no material to so suggest.

5. Considering that the maximum sentence which conviction may entail is 5 years, I am inclined to allow this application, particularly, since the applicants are already suspended and are not likely to be in a position to interfere with either the investigation, if any investigation is left to be done, or then with the trial.

6. The application is allowed subject to the following conditions.

(i) The applicants be released on bail on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) each with solvent surety of the like amount.

(ii) The applicants shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.

(iii) The applicants shall not leave the country without the permission of the trial Court.