

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

Criminal Application [BA] No.1319 of 2021

Anil Indrasen Ghughal vs. State of Maharashtra, through P.S.O. Yavatmal City, Yavatmal

with

Criminal Application [BA] No.1325 of 2021

Vidyut Vasant Wasani vs. State of Maharashtra, through P.S.O. Yavatmal City, Yavatmal

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

Court's or Judge's Orders

Mr. A.A. Dhawas, Counsel for the Applicant in BA No.1319/2021
Mr. R.M. Daga, Counsel for the Applicant in BA No.1325/2021
Mr. M.K. Pathan, A.P.P. for the Non-Applicant/State.

CORAM : ROHIT B. DEO, J.
DATE : 23rd DECEMBER, 2021.

At the oral request of learned Counsel Mr. Dhawas for the applicant, leave to correct the cause title of Criminal Application [BA] 1319/2021.

02] The applicants are seeking bail in Crime 858/2021 registered with Police Station Yavatmal City for the offences punishable under Sections 7 & 12 of the Prevention of Corruption Act.

03] The accusation is that the applicant in Criminal Application [BA] 1319/2021, Mr. Anil Ghughal, then attached to Police Station Lohara as A.P.I., demanded illegal gratification of Rs.10.00 Lakhs from the complainant as consideration for filing favourable reply in a criminal case registered against the complainant. The amount was reduced to Rs.7.00 Lakhs and after the verification, the Anti Corruption Bureau (ACB) laid trap on 07/12/2021. It is alleged that the bribe of Rs.7.00 Lakhs was accepted by Mr. Anil Ghughal through Vishal Makde, who is an

employee of Mr. Vidyut Wasani, the applicant in Criminal Application [BA] 1325/2021.

04] It is not in dispute that the investigation in the trap is complete. The applicant Mr. Anil Ghughal, who is the public servant, is under suspension. I do not see any purpose in continuing the incarceration, considering that in prosecution of such nature, the panch-witnesses are likely to be the Government employees, the chance of influencing the panch-witnesses is slim. The proceedings are documented in the form of various panchnamas and, therefore, possibility of tampering with evidence would ordinarily be remote.

05] The applications are allowed subject to the following conditions:

06] The applicants shall be released on bail on executing P.R. Bond of Rs.16,000/- (Rupees Sixteen Thousand Only) each with one solvent surety of the like amount.

07] The applicants shall attend the Anti Corruption Bureau, Yavatmal every Wednesday from 11:00 a.m. to 02:00 p.m. for next three months.

08] The applicants shall not make any attempt to tamper with the evidence or to influence the witnesses directly or indirectly.

09] The applicants shall not leave the country without the permission of the trial Court.

JUDGE

**sandesh*

Signed by: SANDESH DAULATRAO
WAGHMARE
Private Secretary to the Hon'ble Judge
Signing Date: 23.12.2021 17:37