

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3651 OF 2022
IN
CRIMINAL APPEAL NO.1083 OF 2022**

Satyajit Ramchandra Das Applicant
Versus
The Central Bureau of Investigation
& Anr. Respondents

Mr. Priyal G. Sarada, Advocate for the Applicant.
Mr. H.S. Venegavkar, Counsel for Respondent No.1-CBI.
Smt. M.R. Tidke, APP for the Respondent No.2-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 01st DECEMBER, 2022

P.C. :

1. This is an application for bail pending disposal and final hearing of Criminal Appeal No.1083/2022.
2. The applicant was convicted for commission of offence punishable under Section 13(1)(e) read with 13(2) of the Prevention of Corruption Act and was sentenced to suffer RI for five years and to pay fine of Rs.2,00,000/-. There were two more accused who were acquitted from all the charges.

3. Heard Shri Priyal Sarda, learned counsel for the applicant, Shri H.S. Venegavkar, learned Counsel for the respondent No.1-CBI and Smt. M.R. Tidke, learned APP for the State.

4. Learned counsel for the applicant submitted that the applicant was on bail during trial and he has not misused the same. He was working as Senior Sectional Engineer with the Railways. He has a good case on merits. The sanction is not accorded by the competent authority. No reasons are given for awarding sentence of five years when the minimum sentence at the relevant time was for only one year. He submitted that the applicant is above 65 years of age. The appeal is not likely to be decided in the near future and, therefore, the applicant deserves to be released on bail.

5. Learned counsel for CBI as well as learned APP opposed this application on merits of the matter. However, they conceded that the appeal may not be decided in five years and no special reasons are given for awarding sentence of five years.

6. Considering that arguable points are raised on merits of the matter besides validity of sanction and also considering the fact that the applicant was on bail during trial and that he is above 65 years of age, the applicant can be released on bail during pendency of his appeal. Hence the following order :

:: O R D E R ::

- i. During pendency and final disposal of Criminal Appeal No.1083/2022, the applicant is directed to be released on bail on his furnishing P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii. Interim Application is disposed of accordingly.

Digitally signed
by
PRADIPKUMAR
PRAKASHRAO
DESHMANE
Date:
2022.12.06
17:52:38 +0530

Deshmane (PS)

(SARANG V. KOTWAL, J.)