

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

Criminal Application (BA) No. 583 of 2022

1. Ravindra Kavduji Aajbale
2. Ramkrushna Dharmaji Aajbale

Versus

Anti Corruption Bureau, Civil Lines, Through its Police Inspector,
Bhandara

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.S.Ghate, Advocate for the applicant.

Shri V.A.Thakare, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 16th JUNE, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 110 of 2022 registered with Police Station Adyal, Dist. Bhadara for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988.

2. Shri Ghate, learned counsel for the applicants submits that applicants were arrested on 3rd June, 2022. The offence is under the Prevention of Corruption Act. There is nothing to recover or seized from the applicants. As such, custody of the applicants is not necessary. He submits that there are no criminal

antecedents to discredit of the applicants. Learned counsel for the applicants submits that applicants are Sarpanch and Police Patil of Navargaon respectively and therefore there is no possibility of being absconded and not available for trial. Accordingly, he prays for grant of bail.

3. Learned Additional Public Prosecutor has strongly opposed the application and submits that applicants were caught red handed. Accordingly, he prays for rejection of the present application.

4. I have perused the case diary and the First Information Report.

5. Applicants are in jail since 3rd June, 2022 and nothing has been pointed out as to why further custody of the applicants is necessary in the alleged offence. There is nothing to recover or seize from the applicants in relation to the alleged offence. Thus, I am of the opinion that no further custody of the applicants is required.

6. Moreover, there is nothing to show that the applicants would pressurize the prosecution witness or they will tamper with the prosecution evidence or they will not be available for trial, if the bail is granted. Accordingly, I pass the following order.

i. Criminal application is allowed;

ii. It is directed that the applicants shall be released on bail in Crime No. 110 of 2022 for the offence punishable under Section 7 of Prevention of Corruption Act registered by the non-applicant Police Station Adyal, Dist. Bhandara, on furnishing P.R.Bond of Rs.25,000/- each with a solvent surety in the like amount;

ii. The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

iii. The applicants shall not leave the jurisdiction of the concerned police station without permission of the Court.

[ANIL S. KILOR, J.]

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by
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Date: 2022.06.16
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