

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

**INTERIM APPLICATION NO.149 OF 2023
IN
CRIMINAL APPEAL NO.35 OF 2013**

Satish Sharadchandra Sane & Anr. Applicants

versus

State of Maharashtra Respondent

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- Mr. Satyavrat Joshi i/b. Mr. Nitesh J. Mohite, Advocate for Applicants.
- Mr. S. R. Agarkar, APP for the State/Respondent No.1.

**CORAM : SARANG V. KOTWAL, J.
DATE : 16th JANUARY, 2023**

P.C. :

1. The Applicants have challenged the Judgment and Order dated 19/12/2022 passed by Special Judge, Sangli, in Special (ACB) Case No.06/2008. The Applicants were convicted for the offence punishable u/s 12 of the Prevention of Corruption Act, 1988 and were sentenced to suffer rigorous imprisonment for one year each.

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2. The complainant in this case is P.W.1 Ranjit Rajshirke, who was serving as Deputy Vigilance Officer in the Department of Maharashtra State Electricity Distribution Co. Ltd., Pune. The Applicant No.1 was serving as Deputy Executive Engineer and the Applicant No.2 was serving as Junior Engineer in this department. They offered bribe of Rs.5,000/- for not taking action against them. The complaint was lodged on 20/07/2007 and a trap was laid.
3. Heard Mr. Satyavrat Joshi, learned counsel for the Applicant and Mr. S. R. Agarkar, learned APP for the State.
4. Learned counsel for the Applicant submitted that there is serious discrepancy between the evidence of the Pancha and the complainant. The recording of demand was not heard in the Court. The recording is doubtful. The sentence is short. The Appeal is not likely to be decided within that period. Even after their conviction, they were granted bail u/s 389 of Cr.P.C. They were on bail during trial and they have not misused that liberty.

5. Considering these submissions, bail can be granted to the Applicants, pending final hearing and disposal of their Appeal.

6. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.35 of 2023, the Applicants are directed to be released on bail on their furnishing PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only) each, with one or two sureties each, in the like amount.
- (ii) Interim Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)