



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

BAIL APPLICATION NO. 4014 OF 2023

SUNIL JOTIRAM CHAVAN ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Satyavrat Joshi i/b Ashish Vernekar for the Applicant.
Mr. P. H. Gaikwad, APP for the State.
DYSP Sandeep Patil, Sangli

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 14, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Section 7 of the The Prevention of Corruption Act, 1988 registered on 18/11/2023 vide C.R. No.202 of 2023 with Kadegaon Police Station, Sangli.
- 3.** The applicant was working as Nayab Tahasildar in the Sub-Divisional Office, Kadegaon, District Sangli, had demanded a sum of Rs.45,000/- as bribe to regularize the

necessary revenue documents in favour of the complainant. The complainant informed the Anti-Corruption Bureau office about the demand. A trap was accordingly laid. The informant paid the sum of Rs.40,000/- to the applicant towards bribe which was accepted by him. The raiding party confiscated the bribe amount and arrested the applicant.

4. Learned APP opposed the bail application and submitted that the offence is serious in nature as the applicant was caught red handed while accepting the bribe. My attention is invited to the transcribes on record and other materials to show the complicity of the applicant. It is further submitted that anthracene powder was applied to the notes and the said powder was also noticed on the hands of the applicant.

5. The applicant was arrested on 18/11/2023. So far as the trap was concerned, the same has been successful. The bribe amount has been recovered. Further custody of the applicant will only be by way of a pre-trial punishment. The applicant will face the consequences post-trial along with

the departmental action. However, continuation of the custody of the applicant, in my opinion, is not necessary. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Sunil Jotiram Chavan in connection with C.R. No.202 of 2023 registered with Kadegaon Police Station shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more local sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 50,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall report to the Investigating Officer of Kadegaon police station on 20/12/2023, 21/12/2023 and 22/12/2023 between 11.00 a.m. and 02.00 p.m. and thereafter, till filing of the charge sheet, the applicant shall report to the Investigating Officer as and when called to co-operate with the investigation.
- (e) After filing of the charge sheet, the applicant shall report to the Investigating Officer of the Kadegaon police station, once in three months, first

Monday of every concerned month, between 11.00 a.m. and 1.00 p.m.

(f) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(g) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(h) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(i) The applicant shall surrender his passport to the investigating officer. If the applicant does not have a passport, the applicant shall file an affidavit before the trial Court to that effect.

6. The application is disposed of.

(M. S. KARNIK, J.)