

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

**INTERIM APPLICATION NO.2562 OF 2024
IN
CRIMINAL APPEAL NO.677 OF 2024**

Satish @ Santosh Janardhan Thakur Applicant

versus

The State of Maharashtra Respondent

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- Mr. Pramod R. Arjunwadkar, Advocate for Applicant.
- Mr. Shrikant Yadav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 08th JULY, 2024

P.C. :

1. This is an application for bail pending final disposal of the Appeal preferred by the Applicant. The learned Sessions Judge vide his Judgment and Order dated 27/06/2024 convicted the Applicant for commission of offence punishable u/s 7 of the Prevention of Corruption Act, 1988 and sentenced him to suffer rigorous imprisonment for three years and to pay a fine of Rs.25,000/- and in default of payment of fine to suffer rigorous imprisonment for six months. Under section 13(2) of

the Prevention of Corruption Act, 1988, he was sentenced to suffer rigorous imprisonment for four years and to pay a fine of Rs.25,000/- and in default of payment of fine rigorous imprisonment for six months. There was another accused i.e. the accused No.2 Umesh Kale, who was convicted u/s 12 and 13(2) of the Prevention of Corruption Act, 1988. He was sentenced to suffer rigorous imprisonment for four years.

2. Heard Mr. Pramod R. Arjunwadkar, learned counsel for the Applicant and Mr. Shrikant Yadav, learned APP for the State.
3. The prosecution case is that the Applicant was working as a Senior Clerk in Pay and Provident Fund Unit of Education Department, Zilla Parishad, Solapur. The complainant, who is examined as P.W.2 was serving in Mahalaxmi School, Solapur. This witness was terminated by the school for two years. He wanted arrears of his salary. For completing his work, the Applicant demanded Rs.23,000/-. It is alleged that, on 18/04/2016, the accused No.2 accepted the said amount in the

form of currency notes of Rs.500/- coated with Anthracene powder.

4. Learned counsel for the Applicant submitted that the Applicant was on bail during trial. He has not misused the liberty granted. There is no other case against him. On merits, the Applicant has a good case. The Pancha's evidence is doubtful. The complainant himself was terminated in the past. Therefore, his statement will have to be scrutinized with greater care. He submitted that the sentence is short.
5. Learned APP opposed this application based on the evidence of P.W.2.
6. Some arguable points are raised. The Appeal is already admitted. His Appeal is not likely to be decided within a short period.
7. Considering these factors, the Applicant can be granted bail pending his Appeal.

8. Hence, the following order :

ORDER

- (i) During pendency and final disposal of the Criminal Appeal No.677 of 2024 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 stands disposed of accordingly.

(SARANG V. KOTWAL, J.)