

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1389 OF 2024
WITH
INTERIM APPLICATION NO. 1390 OF 2024
IN
CRIMINAL APPEAL NO. 344 OF 2024

Kishanlal s/o Chandulal Meena ... Applicant/Appellant
(K.L. Meena)

V/s.

Central Bureau of Investigation and ... Respondents
Anr.

VARSHA
DEEPAK
GAIKWAD

Digitally signed by
VARSHA DEEPAK
GAIKWAD
Date: 2024.04.05
17:38:49 +0530

Mr. Girish Kulkarni, Senior Advocate i/by Mr. Kripashankar Pandey
with Mrunmai Kulkarni and Abhishek Kunchikar, for the appellant.

Mr. Kuldeep Patil, for CBI, Respondent no. 1.

Mrs. M.R. Tidke, APP, for the Respondent/State.

CORAM : KISHORE C. SANT, J.

DATE : 5TH APRIL, 2024.

PC:

1. The applications are filed for bail and suspension of sentence awarded by the learned Special Judge (CBI), Greater Bombay by judgment and order dated 28th March 2024 in CBI Special Case No. 97/2015. The applicant is held guilty for the offence punishable under section 7 of Prevention of Corruption Act, 1988 and is sentenced to

suffer R.I for three years and to pay fine of Rs. 10,000/- and in default, R.I for two months. The applicant is further held guilty for the offence punishable under section 13 (1) (d) read with 13(2) of the prevention of Corruption Act, 1988 and sentenced to suffer R.I. for four years and to pay fine of Rs. 20,000/-, in default, to suffer R.I. for three months.

2. Learned advocate for the applicant submits that during the trial the applicant was on bail. There is no complaint of misuse of liberty against the present Applicant. The sentence is a short sentence. The appeal is not likely to be heard in near future. The fine amount is also paid. There is no apprehension of jumping of the bail and prays for allowing the application.

3. Learned APP and learned Special counsel oppose the bail applications stating that the offence is serious offence,. The applicant is found to be guilty and oppose the bail application.

4. Considering that the sentence is short sentence and that the appeal is not likely to be heard in near future, this Court is inclined to allow the applications. Hence, the following order.

ORDER

- (i) Applications are allowed.
- (ii) Substantive sentence awarded by the learned Special

Judge (CBI), Greater Bombay by judgment and order dated 28th March 2024 in CBI Special Case No. 97/2015 shall stand suspended.

(iii) The applicant shall be released on bail on furnishing P.R.bond and one solvent surety in the sum of Rs. 15,000/-.

(iv) The applicant shall not leave India without prior permission of the Court.

v) The applicant may release on bail by accepting cash securities for a period of two weeks.

vi) The Applicant shall furnish details of residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details the same will be immediately informed to the concerned police station.

5. The applications stand disposed of.

6. Parties to act on an authenticated copy of this order.

(KISHORE C. SANT, J)