



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 806 OF 2026

Subhash Laxman Rathod
Age : 42 Years, Occu : Service,
R/o. Degloor, Tq. Degloor,
Dist. Nanded.

...APPLICANT

Versus

The State of Maharashtra
Through Investigating Officer,
Vazirabad Police Station,
Dist. Nanded

...RESPONDENT

Mr. D. S. Ingole h/f Mr. Nilesh S. Ghanekar, Advocate for the Applicant
Mr. V. K. Kotecha, APP for Respondent – State.

CORAM : RAJNISH R. VYAS, J.

DATE : FEBRUARY 25, 2026

ORDER :

1. This is an application for grant of bail and suspension of sentence.

2. The original accused has approached this Court challenging his conviction awarded in Special ACB Case No.06 of 2011 by the Additional Sessions Judge, Nanded, on 04th February 2026, for the commission of offences punishable under Sections 7 and 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

The maximum sentence imposed on the applicant is one year. He was also directed to deposit a fine of ₹ 50,000/-.

3. The learned counsel for the applicant submits that the fine amount of ₹ 50,000/- has been deposited. His statement is accepted as an undertaking to the Court.

4. According to him, all throughout the trial he was on bail and he did not misuse his liberty. The sentence imposed upon him is of short term and, therefore, he be released on bail.

5. Per contra, learned APP Mr. Kotecha submits that the offence of corruption is a serious and, therefore, though the sentence is of one year, it may not be suspended.

6. With the assistance of learned counsel, I have gone through the documents produced. It is undisputed that all throughout the trial, the applicant was on bail and he did not misuse his liberty. The sentence imposed on the applicant is of a fixed term i.e., one year, and he can be called upon to undergo the same once the appeal is finally decided.

7. Considering the fact that the final decision on the appeal will take some time, I am inclined to allow the present application.

8. Accordingly, following order is passed :

ORDER

- A) The application is allowed.
- B) The sentence imposed by the Additional Sessions Judge-3, Nanded, in Special ACB Case No.06 of 2011, of one year for commission of offences punishable under Sections 7 and 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 is suspended till final decision of the appeal.
- C) The applicant shall be released on bail on the same terms and conditions as were imposed by the Trial Court.

(RAJNISH R. VYAS, J.)