



**Order below Exh.1 in Criminal Bail**  
**Application No. 1258/2022.**

1. This is an application preferred by applicant nos. (1) Raju Devram Nirbhavne and (2) Balu Dashrath Jadhav for bail under section 439 of Cr.P.C. in C.R. No. I-313/2022 registered in Nashik Road Police Station, Nashik for the offence punishable under section 7 of the Prevention of Corruption Act.
2. It is submitted by the accused that they are resident of Nashik and doing service for their family livelihood. They are the senior of complainant and in grudge complainant has filed false case against them. Investigation is completed and therefore there is no need of custody of accused. Accused have not taken any amount nor they have entered into any transaction of any type. There is delay of one month and nine days in lodging the FIR for which there is no explanation. Offence is punishable with three years. They are ready to abide by the terms and conditions. Hence, prayed that application is granted.
3. Say was called of the investigating officer. He has objected this application on the count that, they have to inquire about the involvement of other persons. They have to inquire whether accused have demanded bribe from other employees. Hence, prayed that they have no objection to allow the application on terms and conditions.
4. Heard Ld. APP and Ld. Advocate for accused. It is submitted by the Advocate for the accused that already investigation is completed. There is delay in lodging the FIR. There was no acceptance of the bribe.

Hence, no physical custody is required of the accused. Hence, prayed that bail be granted. Ld. APP has argued as per the say. Perused the FIR it is seen that accused persons have demanded bribe for not working and signed on the muster as well as not to mark absent for coming late. It is seen that trap was not held and on the count of demand the presence offence has been registered. In such circumstances when investigation of present accused is completed, no purpose will be served to detain the accused behind the bars. Trial will take time. Bail is rule and jail is an exception. Apprehension of the prosecution can be taken care of by imposing stringent conditions. Hence, I proceed to pass following order.

**ORDER**

1. The application is hereby allowed.
2. Accused nos. (1) Raju Devram Nirbhavne and (2) Balu Dashrath Jadhav involved in C.R. No.313/2022 of Nashik Road Police Station for the offence punishable under sections 7 of Prevention of Corruption Act, be released on bail on executing P.R. and S.B. of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties in the like amount.
3. The accused shall mark his presence in Anti Corruption Bureau, Nashik on every Monday from 11.00 a.m. to 1.00 p.m. till filing of the charge-sheet and co-operate the Investigating Officer.
4. Accused shall not tamper with the prosecution evidence or witnesses.
5. Accused shall not commit similar type of offence.
6. Accused shall furnish address proof, photo identity and mobile number of self and his two close relatives.
7. In case of breach of the conditions, the respondent is at liberty to apply for cancellation of bail.

Nashik.  
Date : 15/10/2022.

Sd/-xxx  
(V.S.Malkalpatte-Reddy)  
Additional Sessions Judge,  
Nashik.

