

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 58 OF 2022**

{Ganesh Baburao Ghuge vs. The State of Maharashtra through Mumbai
Naka Police Station}

This is an application under section 439 of the Criminal Procedure Code, 1973 filed by the applicant-accused in crime No. 16 of 2022 registered with Mumbai Naka Police Station, Nashik for the offence punishable under section 7A of the Prevention of Corruption Act.

02] The applicant contended that false and fabricated case is registered against him. He has no role in the crime. From December, 2021, he is working as a Driver and has no connection with any officer. The offence is punishable up to 7 years of imprisonment. He has no criminal antecedent. He is young and his family is dependent on him. He has prayed for grant of bail application.

03] I. O. has filed say through APP at Ex. 04. They have stated that the offence is of serious nature. If accused is released on bail, he will threat the complainant and the witnesses and will not help in investigation. The investigation is going on. Hence, they have prayed for rejection of bail application.

04] Heard the learned counsel for accused and learned APP. They have argued as per their stand taken.

05] I have gone through the application, say and the arguments. There is prima-facie case against the accused. But, the bribe amount is seized from him. Nothing remained to be recovered from him. He has no criminal antecedent. The offence is punishable up to 7 years of imprisonment. He is entitled for bail on suitable terms and conditions. Hence, the following order :

ORDER

01] Application is allowed.

02] Accused namely Ganesh Baburao Ghuge be

released on bail on executing personal bond of Rs. 15,000/- with one or more sureties in the likewise amount each in crime No. 16 of 2022 registered with Mumbai Naka Police Station, Nashik for the offence punishable under section 7A of the Prevention of Corruption Act.

- 03] The accused shall attend police station, as and when his attendances is required by the I. O.
- 04] He 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 such facts to the court or to any police officer to tamper with the evidence.
- 05] He shall not tamper the prosecution evidence in any manner.
- 06] He shall not leave India without permission of this court.
- 07] He shall not commit similar type of offence.
- 08] He shall furnish his detailed address with proof and his mobile number.

Date : 14.01.2022

(R. R. Rathi)
Additional Sessions Judge-5,
Nashik.