

Order below Exh.1 in Cri. Bail Application No.36/2022.

{ Gaurav Suryakant Gavli Vs. State }

This is an application under section 439 of the Criminal Procedure Code for grant of bail pending trial.

2. It appears that the crime is registered at CR No.11/2022 with Sinnar Police Station for the offence under section 7 of the Prevention of Corruption Act. It is alleged that applicant-accused was arrested on 7.1.2022 and was produced before the Special Court, Nashik and after hearing both the parties, he was remanded to police custody till 9.1.2022 and then he was in Magistrate custody.

3. Record shows that allegation against the applicant-accused are that applicant-accused is working as Junior Engineer on contract basis in Panchayat Samiti, Sinnar and for the work of RO plant and he has demanded the bribe of Rs15,000/- from the complainant and accordingly trap was laid and applicant-accused was apprehended while taking the bribe.

4. It is stated in the application that there is no previous criminal record. Practically all investigation is over and nothing remains to be recovered or discovered at his instance. He undertake to co-operate the investigating machinery and will not tamper the prosecution evidence and witnesses.

5. The prosecution opposed the bail application. I.O. is present and submitted the resort and objected the application on the two ground firstly applicant-accused may pressurise the witness and secondly the documents are to be collected in connection with the

present crime and accused may intervene or obstruct the said investigation part.

6. Heard, learned counsel Shri. A.N. Mutha and learned APP Shri. Suryavanshi for the State.

5. On perusal of the record, it appears that accused was apprehended on the spot read handed and the said amount was seized on the spot. So far as apprehension on the part of the investigation, necessary condition can be laid down. I.O. has requested attendance of the accused at his office. Therefore, the said attendance is accepted. Hence, following order is passed.

ORDER

- 1) Application is hereby allowed.
- 2) Applicant Gaurav Suryakant Gavli be enlarged on bail, in CR No.11/2022, Sinnar Police Station, Punishable U/s. 7 of the Prevention of Corruption Act, on his executing personal bond of Rs.25,000/- with one or two solvent sureties in like amount.
- 3) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as dissuade them for disclosing such facts to the Court or to any police officer.
- 4) He shall furnish his identity and address proof and mobile number, if any.
- 5) He shall attend the concerned Anti Corruption Bureau Office, Nashik once in a week on Wednesday in between 11.00 a.m. to 1.00 p.m. till filing of the charge sheet and cooperate in investigation.

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- 6) He shall not leave Nashik District without previous permission of the Court.
- 7) He shall not commit similar offence or any other offence and shall not misuse the liberty granted by this Court.
- 8) Breach of any of the conditions entails the cancellation of the bail.
- 9) Inform all the concerned accordingly.

Date- 14.01.2022

(M. A. Shinde)
Additional Sessions Judge-8,
Nashik.