

Criminal Bail Application No.1219/2022*CNR No. MHNS010052682022**[Rajesh Sudhakar Nehulkar V s. State]***Order below Exh.1.**

This is application for regular bail U/s. 439 of Cr.P.C. in Cr.No.I-168/2022 of Sarkarwada P. S., for offences punishable under Sections 7 of Prevention of Corruption Act on the basis of FIR lodged by Sachin Pandurang Kadam.

2. Bail application is filed on the ground that the applicant is innocent and has been falsely implicated in the case. That the applicant is serving in Health Department since last 30 years. There are no criminal antecedents against him. That the applicant never demanded nor accepted any bribe. He has co-operated to investigation machinery. He is arrested on 02.10.2022. Nothing is to be recovered or discovered at the instance of applicant. The investigation is completed. He will not pressurize witness. He is only earning member in the family. He will not tamper with prosecution evidence. He will not abscond. He will abide by all the terms and conditions. On these main grounds and others have prayed for bail.

3. Notice was issued to State. State appeared through Ld. APP Mr. Kotwal and filed say resisting for grant of application on the grounds that the offence CR No.I-1687/2019 is registered against accused at Tofkhana police station Ahmadnagar under Sec.7 of Prevention of Corruption Act. Statements of witnesses are to be recorded. Sketch of spot is to be drawn. Necessary documents are to be seized. On these main grounds and others have prayed for

rejection of bail application.

4. Heard Ld. Advocate Mr.Kasaliwal for applicant. Perused bail application. Heard Ld. APP Mr.Kotwal. Perused police papers and say filed by Sarkarwada police station.

5. On perusal of F.I.R. as well as case papers, it is apparent that, the allegations faced by present applicant is of demand of bribe amount which is punishable under Sec.7 of Prevention of Corruption Act. The said offence is not punishable with imprisonment for life or death. Investigation is practically completed. The accused is Government servant. He will be available for trial. There is no previous conviction against the present applicant. The trial will take long time to conclude. Hence, on certain terms and conditions, discretion can be exercised in favour of applicant and following order is passed.

ORDER

- (1). Application is allowed.
- (2). The applicant Rajesh Sudhakar Nehulkar be released on bail in Cr.No.I-168/2022 of Sarkarwada P. S., for offences punishable under Sections 7 of Prevention of Corruption Act on furnishing a PR and SB of Rs.25000/- with one or more sureties of like amount on following conditions.
 - (a). He shall attend office of Anti Corruption Bureau, Nashik as and when call by Investigating Officer till filing of the charge sheet,

- (b). He should furnish two documents about his identity proof and two documents in respect of identity proof of his relatives.
 - (c). 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 them from disclosing such facts to the Court or to any police officer.
 - (d). Violation of any of the above mentioned condition, would result in cancellation of bail.
- (3). Inform concerned police station accordingly.

Nashik.

(V. P. Desai)

Date : 07/10/2022

Additional Sessions Judge, Nashik.