

Criminal Bail Application No.1218/2022

CNR No. MHNS010052662022

[Sagar Prakash More V s. State]

Order below Exh.1.

This is application for regular bail U/s. 439 of Cr.P.C. in Cr.No.I-170/2022 of Sarkarwada P. S., for offences punishable under Sections 7 of Prevention of Corruption Act on the basis of FIR lodged by Dattatraya Tukaram Pagar.

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 working as an apprentice with registered Engineer Mr.Lekhraj Kailash Pandit. The complainant approached to get his sketches, drawings prepared from architect and assist him in getting plan approved from competent NMRD Authorities in the property owned by him in village Paste, Tal. Sinnar, Nashik. That applicant sought services of Engineer Mr.Lekhraj to carry out inspection at site, provide drawings for and on behalf of Mr.Pagar. The plan was already approved and applicant was required to be paid his dues for services accordingly, he and Mr.Pandit had provided to the complainant. The complaint is based on documentary evidence. Panchanama is prepared. Custody is not required for obtaining voice samples. There are no criminal antecedents against applicant. That the father of applicant is suffering from paralysis. He will abide by all the terms and conditions. He is permanent residence of Nashik. 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 under Prevention of Corruption Act is registered against applicant. He will pressurize informant. He will not have fear of law. On these main grounds and others have prayed for rejection of bail application.

4. Heard Ld. Advocate Mr.Bhate 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 that he projected to have good terms with Government servants and to bribe the Government servants demanded and accepted bribe amount of Rs.30,000/-. The investigation is practically completed. The said offence is not punishable with imprisonment for life or death. 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 Sagar Prakash More be released on bail in Cr.No.I-170/2022 of Sarkarwada P. S., for offences punishable under Sections 7 of Prevention of Corruption Act on furnishing a PR and SB of Rs.15000/- with one solvent

surety 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.