

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 218 OF 2022**

{Yogesh Vijay Katkade and another vs. The State of Maharashtra
through Sarkarwada Police Station}

This is the bail application under section 439 of the Criminal Procedure Code, 1973 filed by the applicants-accused in crime No. 40 of 2022 registered with Sarkarwada Police Station, Nashik for the offences punishable under section 7 of the Prevention of Corruption Act.

02] The applicants contended that false and fabricated case is registered against them. They have not committed the offence. There is delay in lodging FIR. The custody of the accused are not required. They have no criminal antecedent. They are ready to abide by any conditions imposed by the court. They have prayed for grant of bail.

03] learned APP has filed say at Ex. 12 and I. O. has also filed say at Ex. 13. They have stated that the offence is of serious nature. The investigation is yet not completed. The evidence is yet to be collected. The statement of the witnesses are to be recorded. Overall, they have prayed for rejection of application.

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

05] I have gone through application, say, arguments, documents, police papers. There is prima-facie case against both the accused for demand of bribe. Now, they are arrested and nothing remained to be seized from them. The offence is punishable up to 5 years of imprisonment. Accused have no criminal antecedent. They are entitled for bail. Hence, the following order.

ORDER

01] Application is allowed.

02] The interim bail granted to bail the accused vide order below Ex. 3 is hereby confirmed on the same

terms and conditions.

- 03] The accused shall attend the police station from 21.02.2022 to 23.02.2022 between 11.00 a.m. to 02.00 p.m. and help the police in investigation.
- 04] Inform the concerned Police station accordingly.

Date : 17.02.2022

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