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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1341 OF 2015

Arun Shankar Kumbhar	... Applicant
Vs	
The State of Maharashtra	... Respondent

Mr. Manoj A. Patil, for the Applicant.
Ms. P. P. Shinde, APP for the State.
Dy. SP- Uday Aphale, ACB Kolhapur.

**CORAM : REVATI MOHITE DERE, J.
DATE : 08th SEPTEMBER, 2015**

P.C. :

1. Heard the learned counsel for the Applicant and the learned APP for the Respondent-State.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R.No.53 of 2015 registered with the Hatkanangale Police Station, Kolhapur, for the alleged offences punishable under Sections 7, 8, 10, 12, 13(1), r/w 13(3)(2) of the Prevention of Corruption Act.

3. The complainant is one Vaibhav Shankar Kamble, a resident of Nave Pargaon, Taluka : Hatkanangale, District - Kolhapur. The said complaint is lodged as against the Deputy Registrar, Co-operative Societies at Hatkanangale, namely Shri Sunil Singatkar and two others. The present applicant at the relevant time was serving as a Class-III officer in the said Society. According to the complainant, as the Chairman of Shiv Shahu Magasvargiya Ayodigic Sanstha Mydt. Taluka : Hatkanangale, District – Kolhapur, he had submitted a proposal for seeking permission to sell 20 gunthas of land of the said Society. He has alleged that on 28th August, 2015, he approached the Deputy Registrar, Sunil Singatkar and requested him to grant permission for sale of the land. According to the complainant, Sunil Singatkar asked him to meet the applicant. The applicant is alleged to have demanded a sum of Rs.10,000/- for himself and Sunil Singatkar, for getting the permission. Pursuant to the said demand, the complainant lodged a complaint with the Anti Corruption Bureau and a trap was laid on 29th August, 2015. In the said trap the Deputy Registrar – Sunil Singatkar ; Sanjay Thail, Assistant Co-operative Officer, Co-operative Societies and Rajendra Chavan, came to be arrested.

4. Learned Counsel for the Applicant submitted that there is no material to connect the applicant with the alleged offence. He submitted that in the FIR, the applicant has not been named and in the trap the bribe amount was paid to Sunil Singatkar and Sanjay Thail and not to the applicant. He submitted that infact on the date of the trap i.e 29th August, 2015 the applicant was not present in the office. He submitted that the custody of the applicant is not required, considering the nature of allegations, qua the applicant. He submitted that all the three co-accused in the said case who have been named in the FIR were arrested and have been enlarged on bail.

5. Learned APP opposed the present application. She submitted that there is material as against the present applicant. She relied on the pre-trap panchanama and the voice recording that took place between the complainant and the present applicant, which clearly reflects that the applicant had demanded the bribe amount.

6. Perused the trap panchanama and the transcripts of the voice recording. The said documents prima-facie show that the applicant demanded the bribe for getting permission for sale of land. The said amount

was allegedly demanded by the applicant for himself and for his senior – Sunil Singatkar

7. Considering the material on record, the custody of the applicant is necessary. Hence, the Application for anticipatory bail is rejected and stands disposed of.

8. It is made clear, that if an application for regular bail is filed, the same shall be decided by the learned Judge on its own merits, uninfluenced by the observations, made in the said order.

REVATI MOHITE DERE, J.