

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [ABA] No. 600 of 2015
[Sudhir Mukundrao Devikar Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. H.D. Dangre, Adv., for the Applicant.
 Mr. S.S. Doifode, APP for respondent.

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CORAM : A.B. CHAUDHARI, J.

Date : 23rd December, 2015

Heard learned counsel for the rival parties.

The present Applicant is a Junior Engineer working in Rural Water Supply Department, Sub-Division at Kurkheda, under Zilla Parishad, Gadchiroli.

There is no dispute that the investigating machinery found the amounts transferred by the contractor Ashok Ragiwar by Account Payee Cheques on [a] 5th January, 2015 - Rs. 1.40 lakhs, [b] 16th February, 2015 - Rs. 75,000/-, and [c] 5th May, 2015 -

Rs. 1.00 lakh, total Rs. 3.15 lakhs. Learned counsel for the applicant submits that the said amounts are towards purchase of the construction material from the applicant by Ashok Ragiwar. Learned APP, however, tendered statements and evidence to show that those amounts were paid by the contractor by way of a bribe to the present applicant.

It is not possible at this stage to test the submission made by learned counsel for the applicant that the said amounts were received by the applicant by way of transaction of sale of construction material. Since the applicant is working as a Junior Engineer, it is hard to believe that the said amounts are towards sale and purchase of materials. At any rate, there cannot be appreciation of evidence at this stage of grant of anticipatory bail. The applicant does not deserve any relief of grant of anticipatory bail. Hence the following order:-

ORDER

Criminal Application [ABA] No. 600 of 2015
is **rejected**.

Judge

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