

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.402 OF 2021

**VILAS BUDHA SONAWANE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Aashish T. Jadhavar
APP for Respondent : Mr. S.J. Salgare

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CORAM : M.G. SEWLIKAR, J.
DATE : 21st May, 2021
(VACATION COURT)

PER COURT :

This is an application seeking anticipatory bail in connection with Crime No.119/2021 registered with Amalner Police Station, District Jalgaon for the offences punishable under Section 7 of Prevention of Corruption Act, 1988 and under Sections 392, 201 and 186 of the Indian Penal Code.

2. Factual matrix is as under :

The applicant is a Police Naik and was posted at Dharangaon Police Station, District Jalgaon. It is alleged that Crime No.10/2021 has been registered against the original complainant Bharat Chagan Patil under Section 420 of the Indian Penal Code in

Dharangaon Police Station, District Jalgon. Investigation of the said crime was assigned to the applicant. On 02.03.2021 applicant called the original complainant and asked him (original complainant) to come and see him out side the police station. The applicant said to the original complainant that charge sheet was to be submitted before the concerned court and to weaken the case, original complainant Bharat Patil should pay him Rs.19,000/- else the applicant would make the case against the original complainant more strong. The original complainant was not ready for this and therefore he lodged complaint with the Anti Corruption Bureau, Jalgaon. During the raid, the applicant got suspicious and fled from the spot of the incident. Thereafter the FIR was lodged and the crime came to be registered against the applicant.

3. Heard Shri Jadhavar learned counsel for the applicant and Shri Salgre learned APP for the State.

4. Shri Jadhavar learned counsel for the applicant submitted that a false case has been registered against the applicant. He submitted that the facts in the present case reveal that custodial interrogation of the applicant is not necessary. Nothing is to be recovered from him. He submitted that the applicant did not run away

from the spot of the incident. He was very much there but the applicant was not arrested. He submitted that since custodial interrogation is not necessary, applicant be released on anticipatory bail.

5. Learned APP Shri Salgare submitted that raid was affected and during the raid applicant got suspicious and then fled from the spot of the incident along with the voice recorder. He submitted that there is recording which indicates that applicant had demanded Rs.19,000/- for weakening the case of the prosecution. Therefore, in such serious offence anticipatory bail cannot be granted.

6. From the perusal of the police papers it is seen that original complainant Bharat Patil along with two Panchas had gone to the applicant to ascertain whether applicant had demanded bribe of Rs.19,000/-. Voice recorder was kept inside the shirt of the original complainant and the recording shows that the applicant had demanded Rs.19,000/-. Statement of the original complainant shows that during the conversation with the applicant, the applicant got suspicious and on checking noticed that there was voice recorder. The applicant snatched the digital voice recorder and ran away with it.

7. These are the allegations against the applicant. Therefore

in such serious matters applicant cannot be released on anticipatory bail. Application is, therefore, devoid of any substance. Hence, application is rejected.

(M. G. SEWLIKAR, J.)