

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

ANTICIPATORY BAIL APPLICATION NO.2735 OF 2019

Shrikant Bharsing Vasave Applicant
Versus
The State of Maharashtra Respondent

Mr. Sanjeev Kadam, Advocate i/b. Prashant P. Raul, for the Applicant.

Smt. J.S. Lohokare, APP for the Respondent-State.

Mr. Sanjay Adsul, Police Naik, ACB, Satara is present

CORAM : SARANG V. KOTWAL, J.

DATE : 18th SEPTEMBER, 2021

P.C. :

1. The applicant is seeking anticipatory bail in connection with C.R.No.844/2019 registered at Satara City Police Station, Satara on 21.11.2019 under Section 7 of the Prevention of Corruption Act, 1988.

2. Heard Shri Sanjeev Kadam, learned counsel for the applicant and Smt. J.S. Lohokare, learned APP for the State.

3. The FIR is lodged by one Sanjay Shinde. The gist of the FIR is that the Forester Shri Awale was demanding

money for issuing pass to the first informant for transporting teak-wood timber within the forest area. The FIR mentions that he had demanded Rs.20,000/-. The informant approached the Anti-Corruption Bureau at Satara. They arranged to conduct panchnama for verification. During that panchnama, it is alleged that the Forester Awale called the applicant and the applicant also demanded money from the informant. That conversation was recorded in the recorder carried by the informant. After that, a trap was laid and on 20.11.2019, the Forester Shankar Awale was apprehended while accepting the amount of Rs.14,000/- as a bribe amount. On this basis, the FIR is lodged.

4. Learned counsel for the applicant submitted that the applicant is protected by this Court (Coram : Prakash D. Naik, J.) vide order dated 13.12.2019. He has fully cooperated with the investigation. He has given his voice sample and his custody for investigation purpose is not required. If there is material against him, he can be made to face the trial and he will face the consequences of his act.

However, after all these years, his custodial interrogation is not necessary.

5. Learned APP, on instructions, submitted that the charge-sheet is already filed against the co-accused Awale and sanction is obtained against the present applicant as well. On instructions, she makes a statement that the applicant has cooperated with the investigation. He has given his voice sample and his custody for investigation purpose at least is not necessary.

6. I have considered these submissions. I have also taken into account the fact that the main allegations are directed against the co-accused Shankar Awale. He was continuously demanding money and he was caught accepting the money. On one occasion, there is a reference to the applicant's role of helping the main accused Awale in making some demand. He himself has also demanded the bribe amount from the informant. However, considering the fact that he was on interim protection since December, 2019, he has cooperated with the investigation and the investigating

agency's stand that his custody is not necessary, interim order can be made absolute. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.844/2019 registered with Satara City Police Station, Satara, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

Deshmane (PS)