

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

CRIMINAL BAIL APPLICATION NO.3471 OF 2021

Dnyaneshwar Babu Salunkhe

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Vilasini B i/b Mr. Jaydeep D. Mane, for the Applicant.

Mr. H. J. Dedhia, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th OCTOBER 2021

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 325 of 2021 registered with the Pandharpur Gramin Police Station, for the alleged offence punishable under Section 7-A of the Prevention of Corruption Act.
3. Perused the papers. According to the prosecution, the complainant's cousin had purchased some portion of land out of land block No.402/1/A, situated at Shelave from Dadasaheb Yelmar and Gayabai Yelmar on 3rd May 2021. It is alleged that after carrying out the mutation

in the 7/12 extract, the complainant and his cousin had been to the office of Talathi at Shelave, where the applicant was working as a Private Assistant to the Talathi. It is alleged that the applicant demanded Rs.2,500/- for effecting the mutation entry in 7/12 extract. It is alleged that the applicant accepted Rs.1,500/- alongwith the documents and the balance amount of Rs.1,000/- was to be paid after the entry was effected in the 7/12 extract. It is alleged that whenever the complainant met the applicant, he would collect a total amount of Rs. 3,000/- to Rs.4,000/- from him and would demand bribe on every occasion, pursuant to which, a trap was laid and the applicant was apprehended red-handed accepting Rs.1,000/- as bribe. Although, learned counsel for the applicant submits that the complainant's sister-in-law and the applicant's land are adjoining and that there is a civil dispute between the parties and as such the applicant has been falsely implicated in the said case, the same is a matter of trial. The applicant was arrested on 6th September 2021. Admittedly, the applicant has been arrested pursuant to the trap laid by the complainant.

4. In the facts, further detention of the applicant is not warranted. Accordingly, the application is allowed and the applicant is enlarged on bail, on the following terms and conditions:-

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 15,000/- for a period of six weeks;
 - (ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
 - (iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
 - (iv) The applicant to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;
5. The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.