

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

**ANTICIPATORY BAIL APPLICATION NO. 1444 OF 2022**

Rajkumar Annabhau Pokale

.... Applicant

Versus

The State of Maharashtra  
and another

.... Respondents

....

Mr. S.E. Shekade, Advocate for the Applicant

Mr. N.T. Bhagat, APP for Respondents – State assisted by Mr.  
Shrikishan S. Shinde, Advocate for the complainant.

....

**[CORAM : NITIN B. SURYAWANSHI, J.]**

**DATE : 21<sup>st</sup> NOVEMBER, 2022**

**ORDER :**

1. The applicant apprehends his arrest in Crime No. 0433 of 2020 registered with Ashti Police Station, District Beed for the offence punishable under sections 7 and 12 of the Prevention of Corruption Act, 1988.

2. The applicant is a certified private Auditor. He is on the panel appointed by Co-operative Commissioner, Pune. His duty is to conduct audit of co-operative *sanstha* and to submit report. The applicant is not a Government servant.

3. It is the prosecution case that informant Chandrakant Walhekar lodged a complaint of demand of bribe by accused Waghmare. Verification of demand was carried out, wherein Waghmare agreed to accept Rs.6,000/- as bribe for registration of the society floated by the informant. He asked the informant to give bribe amount to the applicant. After verification of demand, trap was arranged and in the trap Waghmare asked to give bribe amount to the applicant. When the informant went out of the cabin of Waghmare, he came across co-accused Smt. Khedkar. She accepted the bribe amount of Rs.6,000/- and after counting, put the notes in her purse. The trap was therefore successful. The prosecution, therefore, alleges that the applicant abetted commission of offence under section 7 and 12 of the Prevention of Corruption Act.

3. Perusal of investigation papers made available by the learned Additional Public Prosecutor reveals that the applicant was not present at the time of trap and the amount is accepted by the other accused. *Pirma facie*, no ingredients of abetting the crime are made out against the applicant.

4. The applicant was directed to attend the police station as the investigating officer wanted to collect voice sample of the applicant. The applicant has attended the police station and his voice sample is taken. In that view of the matter and considering the material against the applicant, and the allegations made in the FIR against him, custodial interrogation and / or detention of the applicant is not warranted.

5. The application is therefore allowed by confirming the interim order.

6. Till filing of charge-sheet, applicant shall attend the concerned police station as and when called by investigating officer.

**[ NITIN B. SURYAWANSHI ]**  
**JUDGE**

S.P Rane