

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1008 OF 2023

Vilas s/o Ramdas Wakode

Applicant

Versus

The State of Maharashtra

Respondent

Mr. A. K. Bhosle, Advocate for the applicant.

Mr. S. N. Morampalle, APP for the State.

AND

ANTICIPATORY BAIL APPLICATION NO. 1013 OF 2023

Archana w/o Pandurang Bhagnure

Applicant

Versus

The State of Maharashtra

Respondent

Mr. A. K. Bhosle, Advocate for the applicant.

Mr. S. N. Morampalle, APP for the State.

**CORAM : R. M. JOSHI, J.**

**DATE : 5<sup>th</sup> JULY, 2023.**

PER COURT :

1. At the outset, learned counsel for the applicants states that the basic question would arise as to whether the provisions of Prevention of Corruption Act would apply to the present case or not. He submitted that the allegation of demanding bribe is against co-accused Pandurang who is the Secretary of Chaitanya Shikshan

Sanstha. It is submitted that this education institution does not receive grant-in-aid or any financial assistance from Central Government, State Government or local authority. In this regard, no dispute is made by the prosecution. Thus, serious dispute arises about applicability of the provisions of Prevention of Corruption Act to present case.

2. Apart from this fact, perusal of the record indicates that the alleged demand was raised on 17<sup>th</sup> November, 2022 which was postponed from time to time and finally has culminated into non receipt of amount by applicants. Hence, present report came to be lodged. Report is lodged on 20<sup>th</sup> May, 2023. Thus, there is delay in lodging thereof. Nothing is to be recovered at the instance of the applicants. Hence, both the applications deserve to be allowed. Hence, the following order :-

#### ORDER

- (i) Applications is allowed.
- (ii) In the event of arrest of applicants in connection with Crime No.0250/2023, registered with MIDC CIDCO Police Station, Dist. Aurangabad, for the offences punishable under Sections 7, 7(a) and 12 of

Prevention of Corruptaion Act, they be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) each with one solvent surety each in the like amount.

(iii) They shall attend the concerned police station once in a week.

(iv) They shall not contact the witnesses directly or indirectly.

(v) They shall not interfere with the evidence in any manner whatsoever.

(vi) They are is further directed to cooperate the investigating agency for further investigation.

**( R. M. JOSHI)**  
**Judge**