



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

68 ANTICIPATORY BAIL APPLICATION NO. 1035 OF 2024

PANDURANG BABURAO VEER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondent/State : Mrs.D.S. Jape

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 23rd September, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.486 of 2024 registered with Shevgaon Police Station, Tq.Shevgaon, Dist.Ahmednagar for the offence punishable under section 7 of the Prevention of Corruption Act, 1988.

2. It is prosecution's case that on 12th March, 2024, around 11:00 a.m, the applicant had called the infomration at Shevgaon Police Station in respect of the enquiry of complaint filed against the informant. It is alleged that the applicant had demanded bribe from the informant for not taking any action against him. As the informant did not wish to give bribe, he lodged the complaint with Anti Corruption Beareau. Demand of bribe by the applicant was verfied in presence of panchas. The trap of acceptance of bribe was not succeeded, hence offence was registered against the applicant for demand of bribe.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. From verification

of demand panchanama prepared by the prosecution no demand of bribe is shown from the applicant. The trap of acceptance of bribe by the applicant has not been done. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant had demanded bribe from the informant for not taking action against him. The said demand was verified in presence of panchas. Panchanama is prepared. From the transcription of the said panchanama, it shows that the applicant had demanded the bribe which shows his involvement in the crime. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

6. The allegations against the applicant are that he demanded the bribe from the informant for not taking action against him. The contents of the transcription panchanama shows that no specific demand of amount by the applicant. Considering these facts, the custodial interrogation of the applicant is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with FIR No.486 of 2024 registered with Shevgaon Police Station, Tq.Shevgaon, Dist. Ahmednagar, for the offence punishable under section 7 of the Prevention of Corruption Act, 1988, the applicant be released on executing personal bond in the sum of Rs.25,000/- with one surety of the like amount, on the following conditions :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(b) Investigating Officer shall take voice sample of the applicant.

(iii) It is made clear that the observations made in this order are prima facie in nature and the trial Court shall not get influenced by the same and decide the trial on its own merits.

[SHIVKUMAR DIGE, J.]

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